IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	:	U.S. Patent No. 5,514,154 (U.S.S.N. 08/281,790)		
Issued:	:	May 7, 1996	Regulatory Approval Product:	XIENCE PRIME™ and XIENCE PRIME™ LL Everolimus Eluting Coronary Stent System (EECSS)
Inventors	:	Lilip Lau et al.		
For	:	Expandable Stents		

APPLICATION FOR PATENT TERM EXTENSION
PURSUANT TO 35 U.S.C. § 156

Mail Stop Hatch-Waxman PTE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an application pursuant to 35 U.S.C. § 156 and 37 C.F.R. § 1.740, et seq., to extend the term of U.S. Patent No. 5,514,154 ("the '154 Patent"), invented by Lilip Lau et al. and owned by Abbott Cardiovascular Systems Inc. Abbott Cardiovascular Systems Inc. is a subsidiary of Abbott Vascular, which is a division of Abbott Laboratories. Abbott Cardiovascular Systems Inc., having a principal place of business of 3200 Lakeside Drive, Santa Clara, California 95054, represents that it is the owner of the '154 Patent by virtue of an assignment of U.S. Patent Application Ser. No. 08/281,790 (which matured into the '154 Patent) from the inventors in favor of Advanced Cardiovascular Systems, Inc., recorded at the U.S. Patent and Trademark Office at Reel 007186, Frame 0565, on October 28, 2004 (attached as Exhibit A). Advanced Cardiovascular Systems, Inc. was acquired by Abbott Laboratories and has changed its name to Abbott Cardiovascular Systems Inc., as evidenced by the Certificate of Amendment of Articles of Incorporation, recorded at the U.S. Patent and Trademark Office at Reel 027438, Frame 0341, on December 22, 2011 (attached as Exhibit B).

Abbott Cardiovascular Systems Inc., acting through its duly authorized attorney, hereby submits this application for extension of patent term under 35 U.S.C. § 156 by providing the following information required by the rules promulgated by the PTO (37 CFR. §1.710 - 1.785).

1. A complete identification of the approved product as by appropriate chemical and generic name, physical structure or characteristics; (37 CFR 1.740(a)(1))

The approved product has the trade names "XIENCE PRIME™" and "XIENCE PRIME™ LL Everolimus Eluting Coronary Stent System" and will be referred to herein as the "XIENCE PRIME Stent System," or the "XIENCE PRIME Stent" when referring to the stent component only. The approved product has the generic name "Drug Eluting Coronary Stent System (NIQ)."

The XIENCE PRIME Stent System was approved as a medical device indicated for improving coronary luminal diameter in patients with symptomatic heart disease due to *de novo* native coronary artery lesions (length $\leq$ 32 mm) with reference vessel diameters of $\geq$ 2.25 mm to $\leq$ 4.25 mm. The XIENCE PRIME Stent System generally consists of the XIENCE PRIME Stent, which is a coated L-605 Cobalt Chromium (CoCr) alloy stent, mounted on a delivery system. The XIENCE PRIME Stent is coated with a primer layer of poly(n-butyl methacrylate) (PBMA), and further coated with a drug matrix layer of a copolymer of vinylidene fluoride and hexafluoropropylene (PVDF-HFP), which is blended with the anti-proliferative drug everolimus.

Certain characteristics of the XIENCE PRIME Stent System are summarized in **Table 1.** *See* Summary of Safety and Effective Data ("SSED"), published by the FDA at www.accessdata.fda.gov/cdrh_docs/pdf11/P110019b.pdf, a copy of which is attached as Exhibit C; and the XIENCE PRIME Stent System Instructions For Use ("IFU"), published by the FDA at http://www.accessdata.fda.gov/cdrh_docs/pdf11/P110019c.pdf, and by Abbott Vascular at http://www.abbottvascular.com/static/cms_workspace/pdf/ifu/coronary_intervention/XIENCE_PRIME_Everolimus_Eluting_Coronary_Stent_System.pdf, a partial copy of which is attached as Exhibit D.

Table 1. XIENCE PRIME Stent System Product Description

<table>
<tr><th></th><th>XIENCE PRIME EECSS</th><th>XIENCE PRIME LL EECSS</th></tr>
<tr><td>Available Stent Lengths (mm)</td><td>8, 12, 15, 18, 23</td><td>28, 33, 38</td></tr>
<tr><td>Available Stent Diameters (mm)</td><td>2.25, 2.5, 2.75, 3.0, 3.5, 4.0</td><td>2.25*, 2.75, 3.0, 3.5, 4.0</td></tr>
<tr><td>Stent Material</td><td colspan="2">A medical grade L-605 Cobalt Chromium (CoCr) alloy</td></tr>
<tr><td>Drug Component</td><td colspan="2">A conformal coating of a non-erodible polymer loaded with 100 μg/cm^2 of everolimus with a maximum nominal drug content of 232 μg on the large stent (4.0 x 38 mm).</td></tr>
<tr><td>Delivery System Working Length</td><td colspan="2">143 cm</td></tr>
<tr><td>Delivery System Design</td><td colspan="2">Single access port to inflation lumen; guide wire exit notch is located 25.5 cm from tip; designed for guide wires ≤ 0.014".</td></tr>
<tr><td>Stent Delivery System Balloon</td><td colspan="2">A compliant, tapered balloon, with two radiopaque markers located on the catheter shaft to indicate balloon positioning and expanded stent length</td></tr>
<tr><td>Balloon Inflation Pressure</td><td colspan="2">Rated Burst Pressure (RBP): 18 atm (1824 kPa)
<table><tr><th>Stent Diameter (mm)</th><th>In Vitro Stent Nominal Pressure (atm)</th></tr><tr><td>2.25</td><td>8</td></tr><tr><td>2.5</td><td>8</td></tr><tr><td>2.75</td><td>8</td></tr><tr><td>3.0</td><td>10</td></tr><tr><td>3.5</td><td>10</td></tr><tr><td>4.0</td><td>10</td></tr></table></td></tr>
<tr><td>Guiding Catheter Inner Diameter</td><td colspan="2">≥ 5F (0.056")</td></tr>
<tr><td>Catheter Shaft Outer Diameter</td><td colspan="2">Distal: 0.034" (0.86 mm)
Proximal: 0.031" (0.79 mm)</td></tr>
</table>

* The 2.25 mm diameter stent for XIENCE PRIME LL is only available in the 28 mm stent length.

2. A complete identification of the Federal Statute including the applicable provision of law under which the regulatory review occurred; (37 CFR 1.740(a)(2))

The approved device, the XIENCE PRIME Stent System, was subject to regulatory review under Section 515 (21 U.S.C. § 360(e)) and Section 520 (21 U.S.C. § 360(j)) of the Federal Food, Drug and Cosmetics Act as a medical device.

3. An identification of the date on which the product received permission for commercial marketing or use under the provision of law under which the applicable regulatory review period occurred; (37 CFR 1.740(a)(3))

The approved medical device, the XIENCE PRIME Stent System, received permission for commercial marketing or use under Section 515 of the Federal Food, Drug and Cosmetics Act on **November 1, 2011**.

4. In the case of a drug product, an identification of each active ingredient in the product and as to each active ingredient, a statement that it has not been previously approved for commercial marketing or use under the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, or the Virus-Serum-Toxin Act, or a statement of when the active ingredient was approved for commercial marketing or use (either alone or in combination with other active ingredients), the use for which it was approved, and the provision of law under which it was approved. (37 CFR 1.740(a)(4))

For the sake of clarity, applicant notes that the XIENCE PRIME Stent System is a combination product that includes an everolimus-coated stent (i.e., the XIENCE PRIME Stent) and a stent delivery system (SDS). The product was evaluated and approved as a medical device under Section 515 of the Federal Food, Drug and Cosmetics Act. Accordingly, information referenced by 37 CFR 1.740(a)(4) -- which specifies "[i]n the case of a drug product" -- is not believed to be required or appropriate for the request for patent term extension based upon the XIENCE PRIME Stent System.

5. A statement that the application is being submitted within the sixty day period permitted for submission pursuant to § l.720(f) and an identification of the date of the last day on which the application could be submitted; (37 CFR 1.740(a)(5))

This application is being submitted within the sixty-day period permitted for submission pursuant to 37 CFR. §1.720(f). In light of the approval date of November 1, 2011, the last day on which this application could be submitted is **December 30, 2011**.

6. A complete identification of the patent for which an extension is being sought by the name of the inventor, the patent number, the date of issue, and the date of expiration; (37 CFR 1.740(a)(6))

The patent for which an extension is being sought is U.S. Patent No. 5,514,154, which issued on May 7, 1996. The inventors are Lilip Lau, William M. Hartigan and John J. Frantzen. Absent any extension under 35 U.S.C. § 156, the '154 Patent is set to expire on **May 7, 2013**.

7. A copy of the patent for which an extension is being sought, including the entire specification (including claims) and drawings; (37 CFR 1.740(a)(7))

A copy of the '154 Patent, including the entire specification, claims and drawings, is attached as Exhibit E.

8. A copy of any disclaimer, certificate of correction, receipt of maintenance fee payment, or reexamination certificate issued in the patent; (37 CFR 1.740(a)(8))

Copies of the applicable maintenance fee payment receipts are attached hereto as Exhibit F. A copy of a certificate of correction issued in the '154 Patent is attached as Exhibit G. A copy of a reexamination certificate, which issued on June 15, 2010, based upon the merger of three (3) reexamination proceedings (i.e., Serial Nos. 90/007,878, 90/008,865, and 90/009,309), is attached as Exhibit H. No disclaimer was filed in connection with the '154 Patent.

9. A statement that the patent claims the approved product, or a method of using or manufacturing the approved product, and a showing which lists each applicable patent claim and demonstrates the manner in which at least one such patent claim reads on:
(i) The approved product, if the listed claims include any claim to the approved product;
(ii) The method of using the approved product, if the listed claims include any claim to the method of using the approved product; and

(iii) The method of manufacturing the approved product, if the listed claims include any claim to the method of manufacturing the approved product; (37 CFR 1.740(a)(9))

As demonstrated below, at least claims 12-14 and 17-22 of the '154 Patent cover the XIENCE PRIME Stent. For purpose of reference, Figure 1 below is a reproduction of Fig. 4 of the '154 Patent, which shows a perspective view of a representative stent generally illustrating the features of the claimed subject matter. For example, Fig. 4 of the '154 Patent depicts a longitudinally flexible stent (10) comprising a plurality of cylindrical elements (12) interconnected by generally parallel connecting elements (13). Figure 2 below is a reproduction of Fig. 5 of the '154 Patent, which depicts a plan view of a flattened section of a representative stent generally illustrating the features of the claimed subject matter. Figs. 4 and 5 of the '154 Patent, as presented in Figures 1 and 2 below, respectively, have each been rotated 90° for purpose of comparison with the remaining Figures of this Section.

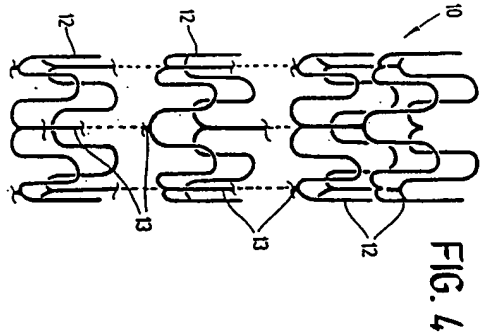


Figure 1. Fig. 4 of the '154 Patent

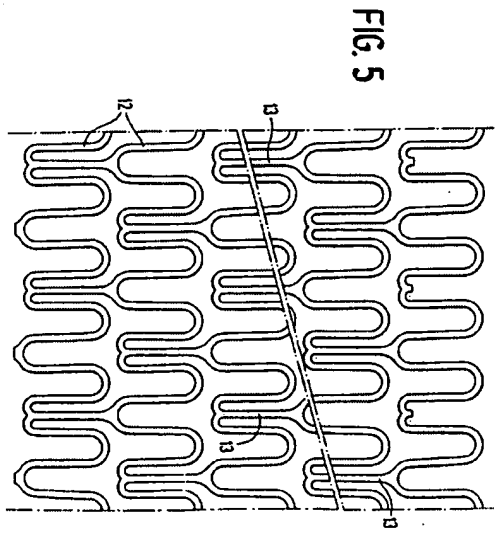
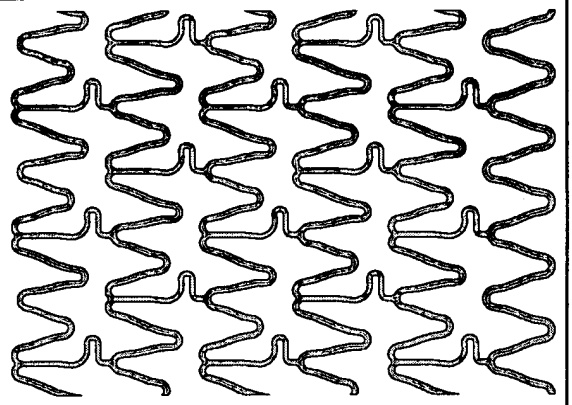


Figure 2. Fig. 5 of the '154 Patent

The XIENCE PRIME Stent has been approved in two sizes (i.e., the "Small XIENCE PRIME Stent" and the "Medium XIENCE PRIME Stent," collectively the "XIENCE PRIME Stent"). The Small XIENCE PRIME Stent will be available in 2.25, 2.5, 2.75, and 3.0 mm expansion diameters; the Medium XIENCE PRIME Stent will be available in 3.5 and 4.0 mm expansion diameters. The XIENCE PRIME Stent of 2.5, 2.75, 3.0, 3.5 and 4.0 mm stent diameters will be available in lengths of 8, 12, 15, 18, 23, and 28 mm, as well as 33 and 38 mm. The 2.25 mm stent diameter will be available in 8, 12, 15, 18, 23, and 28 mm lengths. Figure 3 below sets forth relevant dimensions as presented in Premarket Approval Application No. P110019, initially filed on October 28, 2010. Also included in Figure 3 are illustrations of the corresponding stent patterns for the Small XIENCE PRIME Stent and Medium XIENCE PRIME Stent, respectively.

Small XIENCE PRIME Stent	
	
Expansion	Balloon Expandable
Material	L-605 Cobalt-Chromium (CoCr) alloy
Expansion Diameters (mm)	2.25 and 2.5 (post dilated to 3.25) 2.75 and 3.0 (post dilated to 3.75)
Lengths (mm)	8, 12, 15, 18, 23, 28, 33, and 38 (33 and 38 for 2.5 – 3.0 diameters only)
Number of Crests per Ring	6
Number of Links per Ring	3
Strut Thickness (inch)	0.0032

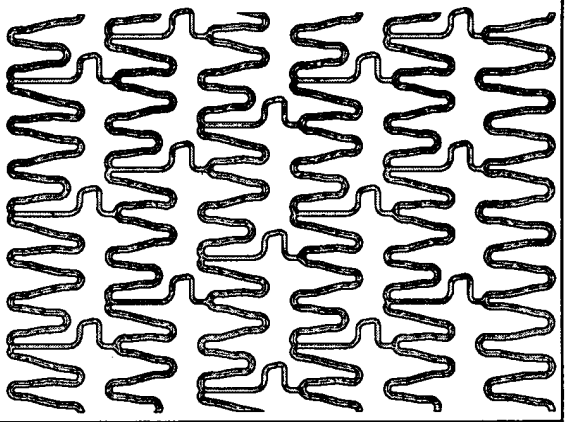
Medium XIENCE PRIME Stent	
	
Expansion	Balloon Expandable
Material	L-605 Cobalt-Chromium (CoCr) alloy
Expansion Diameters (mm)	3.5 and 4.0 (post dilated to 4.5)
Lengths (mm)	8, 12, 15, 18, 23, 28, 33, and 38
Number of Crests per Ring	9
Number of Links per Ring	3
Strut Thickness (inch)	0.0032

Figure 3. Description and Illustration of the Small XIENCE PRIME and Medium XIENCE PRIME Stent Designs

Figure 4 below includes digital photographs of a XIENCE PRIME Stent in its crimped state (Figure 4A) and expanded state (Figure 4B). As evident from these photographs, among other things, the XIENCE PRIME Stent is manufactured from a single tube of material.

Figure 4A

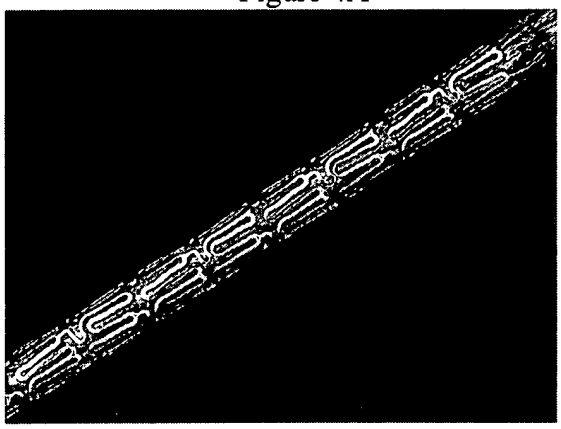


Figure 4B

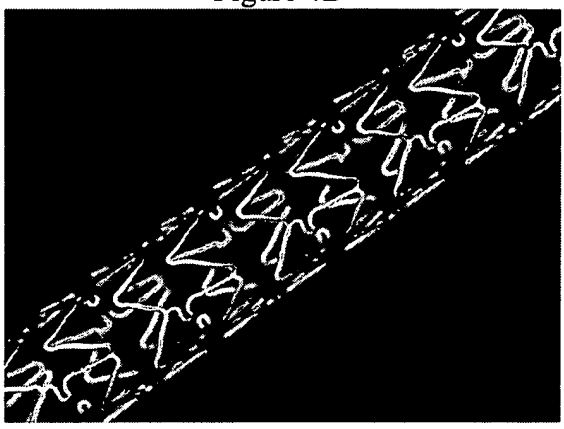


Figure 4. **Digital Photographs Showing a XIENCE PRIME™ Stent Crimped on an Expandable Member (Figure 4A), and After Inflation of the Expandable Member (Figure 4B).**

Figure 5 is an illustration showing the representative dimensions of the maximum theoretical length of each cylindrical element of the Small XIENCE PRIME Stent. Dimension "L" as depicted in Figure 5 represents the overall length of a strut member, and thus the maximum theoretical length of the cylindrical element (i.e., approximately the length of a strut member if aligned along the longitudinal stent axis A). Similarly, Figure 6 is an illustration showing the representative dimensions of the maximum theoretical length of each cylindrical element of the Medium XIENCE PRIME Stent. Table 2 is a table summarizing the relevant dimensions of the Small XIENCE PRIME Stent and Medium XIENCE PRIME Stent, respectively.

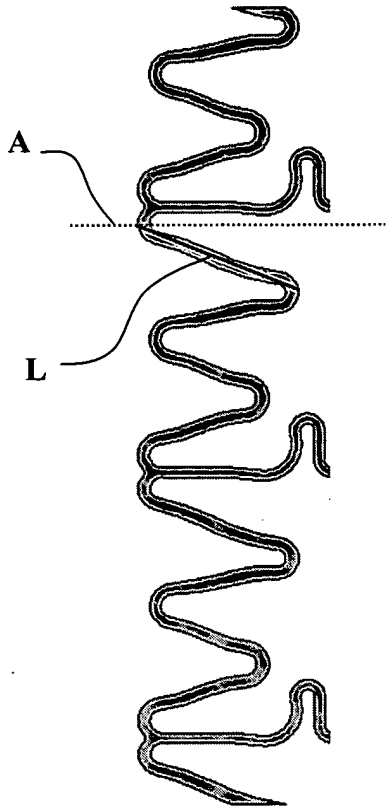


Figure 5. Strut Length of the Small XIENCE PRIME Stent

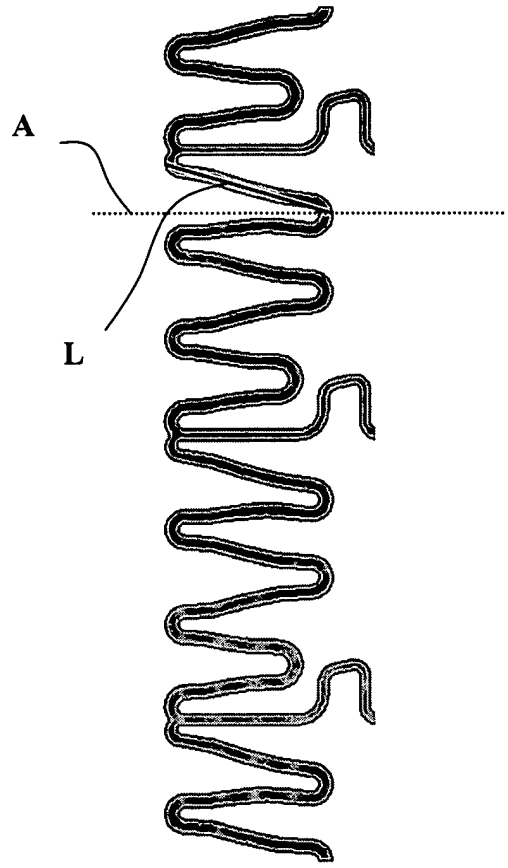


Figure 6. Strut Length of the Medium XIENCE PRIME Stent

Table 2. Relevant Dimensions of the Small XIENCE PRIME Stent and the Medium XIENCE PRIME Stent

Dimension	Measurement for the Small XIENCE PRIME Stent	Measurement for the Medium XIENCE PRIME Stent
L	< 2.25 mm	< 2.25 mm
Nominal Expanded Diameter	2.25 – 3.0 mm	3.5 – 4.0 mm

At least claim 12 of the '154 Patent reads on the approved XIENCE PRIME Stent System and XIENCE PRIME Stent. Presented below in **Table 3** is a comparison of the XIENCE PRIME Stent with claim 12 of the '154 Patent.

Table 3. The XIENCE PRIME Stent As Compared To Claim 12 of the '154 Patent as Appeared in the Reexamination Certificate

Claim Limitation	Corresponding Feature in the XIENCE PRIME Stent
12. A longitudinally flexible stent, comprising:	As described above and depicted in Figure 4A, the XIENCE PRIME Stent System includes, among other things, a XIENCE PRIME Stent pre-mounted on an unexpanded balloon. Figure 4B depicts the XIENCE PRIME Stent after expansion by the balloon. In accordance with the attached IFU (*see* Exhibit D), the XIENCE PRIME Stent System is approved for improving coronary luminal diameter in patients with symptomatic heart disease due to *de novo* native coronary artery lesions. The XIENCE PRIME Stent is introduced percutaneously into either a femoral, brachial, or radial artery of the patient and advanced to the patient's coronary artery. The XIENCE PRIME Stent is therefore flexible along its length to facilitate delivery through tortuous body lumens. Accordingly, the XIENCE PRIME Stent is a longitudinally flexible stent.
a plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected so as to be concentrically aligned on a common longitudinal axis;	As described in the Specification of the '154 patent, the cylindrical elements of the stent as depicted in Fig. 1 herein are independently expandable in the radial direction. *See* col. 1, ll. 59-62; col. 4, ll. 52-56. Similarly, and as shown in Figures 3 and 4A above, the XIENCE PRIME Stent includes a plurality of cylindrical elements. As evident from Figure 4B, the cylindrical elements of the XIENCE PRIME Stent are independently expandable in the radial direction. Further, and as shown in Figures 3 and 4, the cylindrical elements of the XIENCE PRIME Stent are interconnected and concentrically aligned on a common longitudinal stent axis.

Claim Limitation	Corresponding Feature in the XIENCE PRIME Stent
wherein each of the cylindrical elements is not a stent;	As demonstrated in Figures 5 and 6 above, each of the cylindrical elements of the XIENCE PRIME Stent throughout the size matrix has a maximum length of less than 2.25 mm. As noted by the patent owner in the response filed on March 24, 2007, in the reexamination proceeding No. 90/007,878, e.g., at p. 16, one of ordinary skill in the art would recognize that a cylindrical element shorter than 4.0 mm would not be functional as a stent. Hence, since each cylindrical element of the XIENCE PRIME Stent has a maximum theoretical length less than 2.25 mm, each of the cylindrical elements is not a stent.
a plurality of generally parallel connecting elements for interconnecting said cylindrical elements,	As shown in Figure 3 above, the XIENCE PRIME Stent includes a plurality of generally parallel connecting elements for interconnecting the cylindrical elements.
said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other, so that said stent, when expanded radially outwardly, retains its overall length without appreciable shortening; and	As evident from Figure 3 above, the connecting elements of XIENCE PRIME Stent are configured to interconnect only adjacent cylindrical elements. When the XIENCE PRIME Stent is radially expanded from its delivery condition to its nominal diameter or post-dilation diameter, the percent change of the overall stent length for each XIENCE PRIME stent of the size matrix is within the acceptance criteria established for foreshortening, among other product specifications, as noted in the SSED. *See, e.g.,* p. 17 of Exhibit C. Hence, the XIENCE PRIME Stent retains its overall length without appreciable foreshortening.
wherein no portion of the stent overlaps with any other portion of the stent so that there is no double thickness portion.	As noted above, the XIENCE PRIME Stent is fabricated from a single tube of medical grade L-605 CoCr alloy. *See e.g.*, p. 3 of the SSED (Exhibit C). As shown in Figures 3 and 4, the XIENCE PRIME Stent has no portion of the stent overlapping with any other portion of the stent, and there is no double thickness portion in the XIENCE PRIME Stent.

Additionally, at least claims 13, 14, and 17-22 of the '154 Patent also read on the approved XIENCE PRIME Stent System. **Table 4** below summarizes the comparison between the XIENCE PRIME Stent and these claims.

Table 4: The XIENCE PRIME Stent As Compared To Claims 13, 14, and 17-22 of the '154 Patent

Claim Limitation	Corresponding Feature in the XIENCE PRIME Stent
13. The stent of claim 12, wherein said cylindrical elements are capable of retaining their expanded condition upon the expansion thereof.	As noted in the IFU, the XIENCE PRIME Stent is deployed to its expanded state within the vessel, and then the balloon is deflated and removed with the XIENCE PRIME Stent remaining within the vessel to improve coronary artery luminal diameter. Hence, the cylindrical elements of the XIENCE PRIME Stent are capable of retaining their expanded condition upon the expansion thereof.
14. The stent of claim 12, wherein said radially expandable cylindrical elements in an expanded condition have a length less than the diameter thereof.	As demonstrated in Figures 5 and 6 above, the overall length of any strut of the XIENCE PRIME Stent, and thus the maximum theoretical length of any cylindrical element, is less than 2.25 mm. By contrast, the smallest diameter of the XIENCE PRIME Stent at nominal expansion is 2.25 mm. Hence, the expandable cylindrical elements of the XIENCE PRIME Stent in an expanded condition have a length less than the diameter thereof.
17. The stent of claim 12, wherein said connecting elements between adjacent cylindrical elements are circumferentially displaced with respect to said longitudinal axis.	As shown in Figure 3 above, the connecting elements between adjacent cylindrical elements of the XIENCE PRIME Stent are circumferentially displaced with respect to the longitudinal stent axis.
18. The stent of claim 17, wherein the circumferential displacement of said connecting elements between adjacent cylindrical elements is uniform.	As shown in Figure 3 above, in the XIENCE PRIME Stent, the circumferential displacement of the connecting elements between adjacent cylindrical elements is uniform.
19. The stent of claim 12, wherein there are up to four of said connecting elements	As shown in Figure 3 above, the XIENCE PRIME Stent has three connecting elements

Claim Limitation	Corresponding Feature in the XIENCE PRIME Stent
disposed between adjacent radially expandable cylindrical elements.	between adjacent radially expandable cylindrical elements.
20. The stent of claim 12, wherein said radially expandable cylindrical elements and said connecting elements are made of the same material.	As noted above, the XIENCE PRIME Stent is fabricated from a single tube of medical grade L-605 CoCr alloy. *See e.g.*, p. 3 of the SSED (Exhibit C). Thus, the radially expandable cylindrical elements and the connecting elements of the XIENCE PRIME Stent are made of the same material.
21. The stent of claim 12, wherein said stent is formed from a single piece of tubing.	As noted above, the XIENCE PRIME Stent is fabricated from a single tube of medical grade L-605 CoCr alloy. *See e.g.*, Figure 4 above and p. 3 of the SSED (Exhibit C).
22. The stent of claim 12, wherein the stent is coated with a biocompatible coating.	As describe above, the XIENCE PRIME Stent is coated with a drug matrix layer of PVDF-HFP. Further, and as demonstrated in pages 13-15 of SSED (Exhibit C), the XIENCE PRIME Stent satisfies various biocompatibility tests. Therefore, the XIENCE PRIME Stent is coated with a biocompatible coating.

10. A statement beginning on a new page of the relevant dates and information pursuant to 35 U.S.C. 156(g) in order to enable the Secretary of Health and Human Services or the Secretary of Agriculture, as appropriate, to determine the applicable regulatory review period as follows:

* * *

(v) For a patent claiming a medical device:

(A) The effective date of the investigational device exemption (IDE) and the IDE number, if applicable, or the date on which the applicant began the first clinical investigation involving the device, if no IDE was submitted, and any available substantiation of that date;

The effective date of the investigational device exemption (IDE) was **May 27, 2009** (the date on which the XIENCE PRIME Stent System received conditional approval). The IDE No. for the XIENCE PRIME product was **G090068**.

(B) The date on which the application for product approval or notice of completion of a product development protocol under Section 515 of the Federal Food, Drug and Cosmetic Act was initially submitted and the number of the application; and

The application for product approval under Section 515 of the Federal Food, Drug and Cosmetic Act, i.e., the Premarket Approval Application (PMA) was submitted in four modules, with Module 1 submitted on **October 28, 2010**. The remaining three modules were filed on February 25, 2011; February 25, 2011; and April 19, 2011. The PMA Number was P110019.

(C) The date on which the application was approved or the protocol declared to be completed; (37 CFR 1.740(a)(10))

PMA P110019 was approved on **November 1, 2011**.

11. A brief description beginning on a new page of the significant activities undertaken by the marketing applicant during the applicable regulatory review period with respect to the

approved product and the significant dates applicable to such activities; (37 CFR 1.740(a)(11))

Attached as Exhibit I is a table listing significant activities undertaken by the marketing applicant during the applicable regulatory review period with respect to the approved product and the dates such activities occurred. Further details regarding the marketing applicant's activities during the regulatory review period may be provided upon request.

12. A statement beginning on a new page that in the opinion of the applicant the patent is eligible for the extension and a statement as to the length of extension claimed, including how the length of extension was determined; (37 CFR 1.740(a)(12))

In the opinion of the Applicant, the U.S. Patent No. 5,514,154 is eligible for an extension under 35 U.S.C. § 156 because:

(i) one or more of the claims to U.S. Patent No. 5,514,154 claim the approved product (XIENCE PRIME Stent System);

(ii) the term of U.S. Patent No. 5,514,154 has not been extended on the basis of 35 U.S.C. § 156 before submission of the instant application;

(iii) the term of no other U.S. Patent has been extended under 35 U.S.C. § 156 on the basis of the regulatory review process associated with the approved product (XIENCE PRIME Stent System);

(iv) there is an eligible period of regulatory review by which the patent may be extended pursuant to 35 U.S.C. § 156;

(v) the present application has been submitted within the 60-day period following the approval date of the approved product, pursuant to 35 U.S.C. § 156(c); and

(vi) the application submitted herewith otherwise complies with all requirements of 35 U.S.C. § 156 and all applicable rules and procedures.

(B) The period which the term of U.S. Patent No. 5,514,154 is requested by the Applicant to be extended is **630 days**, such that the patent would expire on **January 27, 2015.**

(C) The requested period of extension of the term of U.S. Patent No. 5,514,154 corresponds to the regulatory review period that eligible for extension pursuant to 35 U.S.C. § 156, as calculated in 37 CFR § 1.777.

1. Calculations under 37 CFR § 1.777(c)(1)

The number of days in the period beginning on the date a clinical investigation on humans involving the device was begun and ending on the date an application was initially submitted with respect to the device under section 515 of the Federal Food, Drug and Cosmetic Act; **520 days**

2. Calculations under 37 CFR § 1.777(c)(2)

The number of days in the period beginning on the date the application was initially submitted with respect to the device under section 515 of the Federal Food, Drug and Cosmetic Act, and ending on the date such application was approved under such Act or the period beginning on the date a notice of completion of a product development protocol was initially submitted under section 515(f)(5) of the Act and ending on the date the protocol was declared completed under section 515(f)(6) of the Act. **370 days**

Total Regulatory Review Period under 37 CFR § 1.777(c): **890 days**

3. Calculations under 37 CFR § 1.777(d)(1)

Subtracting from the number of days determined by the Secretary of Health and Human Services to be in the regulatory review period pursuant to paragraph (c) of this section:

(i) The number of days in the periods of paragraphs (c)(1) and (c)(2) of this section which were on and before the date on which the patent issued;

Subtract 0 days

(ii) The number of days in the periods of paragraphs (c)(1) and (c)(2) of this section during which it is determined under 35 U.S.C. 156(d)(2)(B) by the Secretary of Health and Human Services that applicant did not act with

due diligence; **Applicant is believed to have acted with due diligence throughout the regulatory review period; Subtract 0 days**

(iii) One-half the number of days remaining in the period defined by paragraph (c)(1) of this section after that period is reduced in accordance with paragraphs (d)(1) (i) and (ii) of this section; half days will be ignored for purposes of subtraction; **Subtract 260 days**

Relevant Period pursuant to 37 CFR §1.777(d)(1): **630 days (890 days - 260 days)**

3. Calculations under 37 CFR §1.777(d)(2)

By adding the number of days determined in paragraph (d)(1) of this section to the original term of the patent as shortened by any terminal disclaimer; **630 days added to May 7, 2013 is January 27, 2015 (the date expected)**.

4. Calculations under 37 CFR §1.777(d)(3)

By adding 14 years to the date of approval of the application under section 515 of the Federal Food, Drug and Cosmetic Act or the date a product development protocol was declared completed under section 515(f)(6) of the Act; **November 1, 2025.**

5. Calculations under 37 CFR §1.777(d)(4)

By comparing the dates for the ends of the periods obtained pursuant to paragraphs (d)(2) and (d)(3) of this section with each other and selecting the earlier date; **January 27, 2015 (the date expected)**

6. Calculations under 37 CFR §1.777(d)(5)

If the original patent was issued after September 24, 1984,

(i) By adding 5 years to the original expiration date of the patent or earlier date set by terminal disclaimer; **May 7, 2018**

(ii) By comparing the dates obtained pursuant to paragraphs (d)(4) and (d)(5)(i) of this section with each other and selecting the earlier date; **January 27, 2015 (the date expected)**

Applicant submits that U.S. Patent No. 5,514,154 should be extended to **January 27, 2015 (the date expected)**

13. A statement that applicant acknowledges a duty to disclose to the Director of the United States Patent and Trademark Office and the Secretary of Health and Human Services or the Secretary of Agriculture any information which is material to the determination of entitlement to the extension sought (37 CFR 1.740(a)(13))

Pursuant to 37 CFR. §1.1740(a)(13), applicant acknowledges its duty to disclose to the Director of the PTO and to the Secretary of Health and Human Services any information which is material to the determination of entitlement to the extension sought, particularly as that duty is defined in 37 CFR. § 1.765.

In separate Information Disclosure Statement, applicant will provide additional material and information, for example, a summary of marketing applicant's stent products previously approved by the FDA.

14. The prescribed fee for receiving and acting upon the application for extension (37 CFR 1.740(a)(14))

Please deduct the fee prescribed in 37 CFR §1.20(j) for a patent term extension application under 35 U.S.C. § 156 from Deposit Account No. 02-4377.

15. The name, address, and telephone number of the person to whom inquiries and correspondence relating to the application for patent term extension are to be directed. (37 CFR 1.740(a)(15))

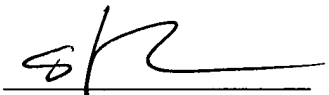
Correspondence in connection with this application shall be directed to:

Daniel J. Hulseberg
USPTO Registration Number 36,554
Customer No. 62,614
30 Rockefeller Plaza
New York, NY 10112-4498
Phone Number: 212.408.2500
Fax Number: 212.408.2501

16. The application under this section must be accompanied by two additional copies of such application (for a total of three copies). (37 CFR 1.740(b))

Applicant submits herewith two additional copies of this application, as required by 37 CFR 1.740(b).

Respectfully submitted,



Daniel J. Hulseberg
Patent Office Reg. No. 36,554

Steven P. Lendaris
Patent Office Reg. No. 53,202

Attorneys for Applicant
BAKER BOTTS L.L.P.
Customer No. 62614
30 Rockefeller Plaza
New York, NY 10112-4498
(212) 408-2500

Exhibit A

40-581 D

FORM PTO 1595
1-31-90

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

MAIL ROOM OCT 62

RECORDATION FORM COVER SHEET
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Lilip Lau
William M. Hartigan
John J. Frantzen

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: ADVANCED CARDIOVASCULAR SYSTEMS, INC.

Internal Address:

Street Address: 3200 Lakeside Drive

City: Santa Clara State: California

Zip Code: 95052-8167

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Correct serial no. on original Cover Sheet (Item 4)
Execution Date: 7/22/94; 7/28/94; 7/12/94

4. Application number(s) or registration numbers(s): 08/281,790
If this document is being filed together with a new application, the execution date of the application is: Not applicable

A. Patent Application No.(s)

U.S. Serial No. 08/281,790

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John S. Nagy, Esq.

Internal Address: Fulwider Patton Lee & Utecht

Street Address: 10877 Wilshire Boulevard, 10th Floor

City: Los Angeles State: CA ZIP 90024

6. Total No. of applications and patents involved 1

7. Total fee (37 CFR 3.41):.....$ 40.00
☒ Enclosed
☒ Authorized to be charged to deposit account
☒ Any deficiencies in enclosed fees

8. Deposit account number: 06-2425

(Attach duplicate copy of this page if paying by deposit account)

RECEIVED 7186 FRAME 565

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

JOHN S. NAGY
Name of Person Signing

John Nagy
Signature

10/25/94
Date

Total number of pages comprising Assignment and cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

14

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Mail documents to be recorded with required cover sheet information to:

91867471

ML

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Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the date needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

090 SR 11/08/94 08281790 1 381 40.00 CK

40.00/581

FORM PTO 1595
5-93-94

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Lilip Lau
William M. Hartigan
John J. Frantzen

Additional name(s) of conveying party(ies) attached? ☐ Yes X No

3. Nature of Conveyance:

X Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 7/22/94; 7/28/94; 7/12/94

2. Name and address of receiving party(ies):

Name: ADVANCED CARDIOVASCULAR SYSTEMS, INC.

Internal Address: _____

Street Address: 3200 Lakeside Drive

City: Santa Clara State: California

Zip Code: 95052-8167

Additional name(s) & address(es) attached? ☐ Yes X No

4. Application number(s) or registration number(s): 08/821,790
If this document is being filed together with a new application, the execution date of the application is: Not applicable

A. Patent Application No.(s)

U.S. Serial No. 08/821,790

B. Patent No.(s)

Additional numbers attached? ☐ Yes X No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John S. Nagy, Esq.

Internal Address: Fulwider Patton Lee & Utecht

Street Address: 10877 Wilshire Boulevard, 10th Floor

City: Los Angeles State: CA ZIP 90024

6. Total No. of applications and patents involved 1

7. Total fee (37 CFR 3.41):.....$ 40.00
X Enclosed
X Authorized to be charged to deposit account
X Any deficiencies in enclosed fees

8. Deposit account number: 06-2425

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE 91855112

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

JOHN S. NAGY — Name of Person Signing

John Nagy — Signature

8/24/94 — Date

Total number of pages comprising Assignment and cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to: 40.00 CK

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

ASSIGNMENT

This Assignment made by Lilip Lau of Sunnyvale, California; William M. Hartigan of Fremont, California; and John J. Frantzen of Copperopolis, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95052-8167.

WHEREAS, Assignors have invented a new and useful EXPANDABLE STENTS AND METHOD FOR MAKING SAME, for which an application for United States Letters Patent was filed on July 28, 1994, and has Serial No. 08/281,790; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars ($10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign

applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: July 22, 1994

Lilip Lau
Lilip Lau

Date: _____, 1994

_____
William M. Hartigan

Date: _____, 1994

_____
John J. Frantzen

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara

On 7/22/94 (DATE) before me, Mirza Gehman, Notary Public. (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC")

personally appeared Lilip Lau.

☒ personally known to me -OR- ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument is the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Mirza Gehman
SIGNATURE OF NOTARY

NINA1
MIRZA GEHMAN
COMM. # 996639
Notary Public – California
SANTA CLARA COUNTY
My Comm. Expires AUG 20, 1997
IVNN

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the date below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

_____
TITLE(S)

☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER_____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

_____

_____

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SIGNER(S) OTHER THAN NAMED ABOVE _____

REEL 1186 FRAME 570

REEL 1113 FRAME 256

ASSIGNMENT

This Assignment made by Lilip Lau of Sunnyvale, California; William M. Hartigan of Fremont, California; and John J. Frantzen of Copperopolis, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95052-8167.

WHEREAS, Assignors have invented a new and useful EXPANDABLE STENTS AND METHOD FOR MAKING SAME, for which an application for United States Letters Patent was filed on July 28, 1994, and has Serial No. 08/281,790; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars ($10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign

applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: _____, 1994

Lilip Lau

Date: 1-28, 1994

William M. Hartigan

Date: _____, 1994

John J. Frantzen

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara

On 7/28/94 (DATE) before me, Kimberley Sexton, Notary Public (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC")

personally appeared William M. Hartigan.

☐ personally known to me -OR- ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument is the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Kimberley Sexton
COMM. #983050
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires Jan. 24, 1997

Kimberley Sexton
SIGNATURE OF NOTARY

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the date below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

_____
TITLE(S)

☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER_____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

_____
_____

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TITLE OR TYPE OF DOCUMENT _____

NUMBER OF PAGES ____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

REEL 1186 FRAME 574

REEL 1113 FRAME 260

ASSIGNMENT

This Assignment made by Lilip Lau of Sunnyvale, California; William M. Hartigan of Fremont, California; and John J. Frantzen of Copperopolis, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95052-8167.

WHEREAS, Assignors have invented a new and useful EXPANDABLE STENTS AND METHOD FOR MAKING SAME, for which an application for United States Letters Patent was filed on July 28, 1994, and has Serial No. 08/281,790; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars ($10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign

applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: _____, 1994

_____
Lilip Lau

Date: _____, 1994

_____
William M. Hartigan

Date: 7/12/94, 1994

John J. Frantzen

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of SAN MATEO

On 12/6-94 (DATE) before me, ANTHONY J. CASTRO (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC")

personally appeared JOHN J. FRANZEN

☑ personally known to me -OR- ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument is the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Anthony J. Castro
Comm. #984837
NOTARY PUBLIC - CALIFORNIA
SAN MATEO COUNTY
Comm. Expires June 1, 1997

SIGNATURE OF NOTARY

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

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TITLE OR TYPE OF DOCUMENT

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SIGNER(S) OTHER THAN NAMED ABOVE

REEL 1186 FRAME 578

RECORDED
PATENT & TRADEMARK OFFICE
OCT 28 94

REEL 7113 FRAME 264

RECORDED
PATENT AND TRADEMARK OFFICE
AUG 29 1994

Docket No. 35765 (3802.3)

Exhibit B

A0656610

State of California
Secretary of State

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

FEB 14 2007

DEBRA BOWEN
Secretary of State

A0655670

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

FEB 13 2007

CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION

The undersigned certify that:

1. They are the President and an Assistant Secretary, respectively, of Advanced Cardiovascular Systems, Inc., a California corporation.

2. Article I of the Articles of Incorporation of this corporation is amended to read as follows:

   The name of the corporation is Abbott Cardiovascular Systems Inc.

3. The foregoing amendment of Articles of Incorporation has been duly approved by the Board of Directors on January 18, 2007.

4. The foregoing amendment of Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Section 902, California Corporations Code. The total number of outstanding shares of the corporation is 100. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage vote required was more than 50%.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATE: February 9, 2007

John M. Capek
President

John A. Berry
Assistant Secretary

OFFICE OF THE SECRETARY OF STATE

Exhibit C

SUMMARY OF SAFETY AND EFFECTIVENESS DATA (SSED)

I. GENERAL INFORMATION

Device Generic Name:	Drug Eluting Coronary Stent System (NIQ)
Device Trade Name:	XIENCE PRIME™ Everolimus Eluting Coronary Stent System XIENCE PRIME™ LL Everolimus Eluting Coronary Stent System
Applicant's Name and Address:	Abbott Vascular 3200 Lakeside Drive Santa Clara, CA 95054
Date of Panel Recommendation:	None
Premarket Approval Application (PMA) Number:	P110019
Date of FDA Notice of Approval:	November 1, 2011
Expedited:	Not Applicable

II. INDICATIONS FOR USE

The XIENCE PRIME stent system is indicated for improving coronary luminal diameter in patients with symptomatic heart disease due to *de novo* native coronary artery lesions (length ≤ 32 mm) with reference vessel diameters of ≥ 2.25 mm to ≤ 4.25 mm.

III. CONTRAINDICATIONS

The XIENCE PRIME stent system is contraindicated for use in patients:

- Who cannot receive anti-platelet and/or anti-coagulant therapy
- With lesions that prevent complete angioplasty balloon inflation or proper placement of the stent or stent delivery system
- With hypersensitivity or contraindication to everolimus or structurally-related compounds, cobalt, chromium, nickel, tungsten, acrylic, and fluoropolymers

IV. WARNINGS AND PRECAUTIONS

The warnings and precautions can be found in the XIENCE PRIME and XIENCE PRIME LL Everolimus Eluting Coronary Stent System labeling.

V. DEVICE DESCRIPTION

The XIENCE PRIME family of stent systems includes:

- The XIENCE PRIME Everolimus Eluting Coronary Stent System (stent diameters 2.25, 2.5,2.75, 3.0, 3.5, 4.0 mm, stent lengths 8, 12, 15, 18, 23 mm)

- XIENCE PRIME LL Everolimus Eluting Coronary Stent System (stent diameters 2.25[1], 2.5,2.75, 3.0, 3.5, 4.0 mm, stent lengths 28, 33, 38 mm) Everolimus Eluting Coronary Stent Systems

Hereafter the XIENCE PRIME family of stent systems is referred to as the XIENCE PRIME stent or XIENCE PRIME stent system. The XIENCE PRIME stent systems are device/drug combination products consisting of a drug-coated stent and a balloon expandable delivery system. The stent is coated with a formulation containing everolimus, the active ingredient, embedded in a non-erodible polymer, which is identical to the XIENCE V® Everolimus Eluting Coronary Stent System (XIENCE V EECSS) approved in P070015.

The device component consists of medical grade L-605 cobalt chromium (CoCr) drug-coated stent mounted onto the XIENCE PRIME stent delivery system. The device component characteristics are summarized in **Table 1**.

[1] The 2.25 mm stent diameter for XIENCE PRIME LL is only available in the 28 mm stent length.

Table 1 XIENCE PRIME and XIENCE PRIME LL Product Description

	XIENCE PRIME EECSS	XIENCE PRIME LL EECSS
Available Stent Lengths (mm)	8, 12, 15, 18, 23	28, 33, 38
Available Stent Diameters (mm)	2.25, 2.5, 2.75, 3.0, 3.5, 4.0	2.25*, 2.75, 3.0, 3.5, 4.0
Stent Material	A medical grade L-605 Cobalt Chromium (CoCr) alloy	

Drug Component

Stent Design	Diameters (mm)	Stent Length (mm)	Surface Area (cm^2)	Target Drug Amount (µg)
Small	2.25, 2.5, 2.75, 3.0	8	0.3972	40
Small	2.25, 2.5, 2.75, 3.0	12	0.6048	60
Small	2.25, 2.5, 2.75, 3.0	15	0.7431	74
Small	2.25, 2.5, 2.75, 3.0	18	0.8815	88
Small	2.25, 2.5, 2.75, 3.0	23	1.0891	109
Small	2.25, 2.5, 2.75, 3.0	28	1.3658	137
Small	2.5, 2.75, 3.0	33	1.5734	157
Small	2.5, 2.75, 3.0	38	1.8501	185
Medium	3.5, 4.0	8	0.4979	50
Medium	3.5, 4.0	12	0.7466	75
Medium	3.5, 4.0	15	0.9124	91
Medium	3.5, 4.0	18	1.1612	116
Medium	3.5, 4.0	23	1.4099	141
Medium	3.5, 4.0	28	1.7415	174
Medium	3.5, 4.0	33	1.9903	199
Medium	3.5, 4.0	38	2.3219	232

Delivery System Working Length	143 cm
Delivery System Design	Single access port to inflation lumen; guide wire exit notch is located 25.5 cm from tip; designed for guide wires ≤ 0.014".
Stent Delivery System Balloon	A compliant, tapered balloon, with two radiopaque markers located on the catheter shaft to indicate balloon positioning and expanded stent length

Balloon Inflation Pressure

Rated Burst Pressure (RBP): 18 atm (1824 kPa)

Stent Diameter (mm)	*In Vitro* Stent Nominal Pressure (atm)
2.25	8
2.5	8
2.75	8
3.0	10
3.5	10
4.0	10

Guiding Catheter Inner Diameter	≥ 5F (0.056")
Catheter Shaft Outer Diameter	Distal: 0.034" (0.86 mm) Proximal: 0.031" (0.79 mm)

* The 2.25 mm diameter stent for XIENCE PRIME LL is only available in the 28 mm stent length.

A. Device Component Description

The XIENCE PRIME stent system consists of the coated Cobalt Chromium (CoCr) alloy stent mounted on a delivery system. The XIENCE PRIME stent uses the identical stent and balloon materials, and the identical drug coating formulation and drug dose density (100ug/cm^2) as the XIENCE V Everolimus Eluting Coronary Stent System (P070015 and supplements). The XIENCE PRIME stent design is similar to that of the XIENCE V stent with regard to the Multi-Link Vision Coronary Stent System (P020047 and supplements) stent design in strut thickness and similar metal to artery ratios that, when expanded, allows for similar drug dosing to the vessel. The XIENCE PRIME stent design has been slightly modified from that of the XIENCE V stent design in order to accommodate design improvements while not affecting the overall structural integrity of the design. These modifications include longer cell length and a modified proximal end ring.

The XIENCE PRIME stent delivery system utilizes the same principle of operations as other Abbott Vascular Rapid Exchange (RX) stent systems and dilatation catheters. The XIENCE PRIME stent delivery system materials are similar to those used in the XIENCE V EECSS and the Voyager NC Coronary Dilatation Catheter (DCD) (P810046/S226).

B. Drug Component Description

Identical to the XIENCE V stent, the XIENCE PRIME and XIENCE PRIME LL Everolimus Eluting Coronary Stents (XIENCE PRIME stent) are coated with everolimus (active ingredient), embedded in a non-erodible polymer (inactive ingredient).

B1. Everolimus

Everolimus is the active pharmaceutical ingredient in the XIENCE PRIME stent. It is a novel semi-synthetic macrolide immunosuppressant, synthesized by chemical modification of rapamycin (INN: sirolimus). The everolimus chemical name is 40-O-(2-hydroxyethyl)-rapamycin and the chemical structure is shown in **Figure 1** below.

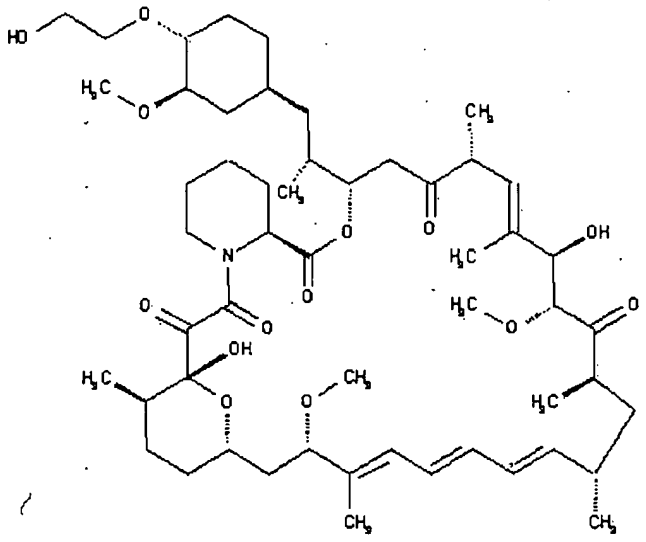

Figure 1 Chemical Structure of Everolimus

B2. Inactive Ingredients

The XIENCE PRIME stent contains inactive ingredients, including poly n-butyl methacrylate (PBMA), a polymer that adheres to the stent and drug coating, and PVDF-HFP, which is comprised of vinylidene fluoride and hexafluoropropylene monomers as the drug matrix layer containing everolimus. PBMA is a homopolymer with a molecular weight (Mw) of 264,000 to 376,000 dalton. PVDF-HFP is a non-erodible semi-crystalline random copolymer with a molecular weight (Mw) of 254,000 to 293,000 dalton. The drug matrix copolymer is mixed with everolimus (83%/17% w/w polymer/everolimus ratio) and applied to the entire PBMA-coated stent surface. The drug load is 100 $\mu g/cm^2$. No topcoat layer is used. The polymer chemical structures are shown in Figure 2a and 2b below.

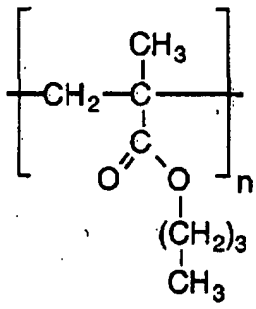

Figure 2a Chemical Structure of Poly (n-butyl methacrylate) (PBMA)

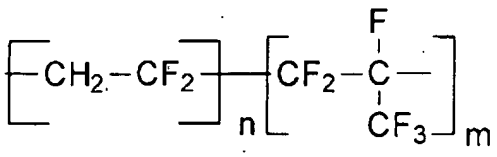

Figure 2b Formula for Vinylidene Fluoride and Hexafluoropropylene Copolymer (PVDF-HFP)

The product matrix, including nominal dosages of everolimus in each XIENCE PRIME stent is described in **Table 2**. The nominal everolimus content is based on stent design and length.

Table 2 XIENCE PRIME and XIENCE PRIME LL EECSS Product Matrix and Everolimus Content

XIENCE PRIME™ US and Japan Commercial Part #	Nominal Expanded Stent Diameter (mm)	Nominal Unexpanded Stent Length (mm)	Nominal Everolimus Content (µg)
1011730-08	2.25	8	40
1011730-12	2.25	12	60
1011730-15	2.25	15	74
1011730-18	2.25	18	88
1011730-23	2.25	23	109
1011730-28	2.25	28	137
1011731-08	2.5	8	40
1011731-12	2.5	12	60
1011731-15	2.5	15	74
1011731-18	2.5	18	88
1011731-23	2.5	23	109
1011731-28	2.5	28	137
1011731-33	2.5	33	157
1011731-38	2.5	38	185
1011732-08	2.75	8	40
1011732-12	2.75	12	60
1011732-15	2.75	15	74
1011732-18	2.75	18	88
1011732-23	2.75	23	109
1011732-28	2.75	28	137
1011732-33	2.75	33	157
1011732-38	2.75	38	185
1011733-08	3.0	8	40
1011733-12	3.0	12	60
1011733-15	3.0	15	74
1011733-18	3.0	18	88
1011733-23	3.0	23	109
1011733-28	3.0	28	137
1011733-33	3.0	33	157
1011733-38	3.0	38	185

Table 2 XIENCE PRIME and XIENCE PRIME LL EECSS Product Matrix and Everolimus Content (cont'd)

XIENCE PRIME™ US and Japan Commercial Part #	Nominal Expanded Stent Diameter (mm)	Nominal Unexpanded Stent Length (mm)	Nominal Everolimus Content (μg)
1011734-08	3.5	8	50
1011734-12	3.5	12	75
1011734-15	3.5	15	91
1011734-18	3.5	18	116
1011734-23	3.5	23	141
1011734-28	3.5	28	174
1011734-33	3.5	33	199
1011734-38	3.5	38	232
1011735-08	4.0	8	50
1011735-12	4.0	12	75
1011735-15	4.0	15	91
1011735-18	4.0	18	116
1011735-23	4.0	23	141
1011735-28	4.0	28	174
1011735-33	4.0	33	199
1011735-38	4.0	38	232

C. Mechanism of Action

The mechanism by which the XIENCE PRIME stent inhibits neointimal growth as seen in preclinical and clinical studies has not been established. At the cellular level, everolimus inhibits growth factor-stimulated cell proliferation. At the molecular level, everolimus forms a complex with the cytoplasmic protein FKBP-12 (FK 506 Binding Protein). This complex binds to and interferes with FRAP (FKBP- 12 Rapamycin Associated Protein), also known as mTOR (mammalian Target Of Rapamycin), leading to inhibition of cell metabolism, growth and proliferation by arresting the cell cycle at the late G1 stage.

VI. ALTERNATIVE PRACTICES AND PROCEDURES

There are several other alternatives for the treatment of patients with coronary artery disease including exercise, diet, drug therapy, percutaneous coronary interventions (i.e., balloon angioplasty, atherectomy, bare metal stents, coated stents, and other drug-eluting stents), and coronary artery bypass grafting (CABG) surgery. Each alternative has its own advantages and disadvantages. A patient should fully discuss these alternatives with his/her physician to select the method that best meets expectations and lifestyle.

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VII. MARKETING HISTORY

The XIENCE PRIME and XIENCE PRIME LL Everolimus Eluting Coronary Stent System is commercially available in the following countries:

Afghanistan	France	Luxembourg	Serbia
Albania	French Polynesia	Macedonia	Singapore
Algeria	French Guyana	Malaysia	Slovakia
Aruba	Georgia	Malta	Slovenia
Australia	Germany	Martinique	South Korea
Austria	Greece	Mauritius	Spain
Bahamas	Guadeloupe	Morocco	Sri Lanka
Bahrain	Guatemala	Myanmar	Suriname
Bangladesh	Guyana	Netherlands	Sweden
Barbados	Honduras	New Caledonia	Switzerland
Belgium	Hong Kong	New Zealand	Syria
Belize	Hungary	Nicaragua	Thailand
Bermuda	Iceland	Niederl. Antill.	Trinidad and Tobago
Bolivia	India	Nigeria	Tunisia
Brazil	Indonesia	Norway	Turkey
British Virgin Islands	Iran	Oman	Uganda
Brunei	Iraq	Pakistan	Ukraine
Bulgaria	Ireland	Panama	United Arab Emirates.
Cambodia	Israel	Paraguay	United Kingdom
Cayman Islands	Italy	Philippines	Uruguay
Chile	Jamaica	Poland	Vietnam
Colombia	Jordan	Portugal	Zimbabwe
Cyprus	Kenya	Qatar	
Czech Republic	Kosovo	Rep. of Armenia	
Denmark	Kuwait	Rep. of Yemen	
Dominican Republic	Latvia	Réunion	
Egypt	Lebanon	Romania	
El Salvador	Libya	Russian Federation	
Estonia	Liechtenstein	San Marino	
Finland	Lithuania	Saudi Arabia	

The XIENCE PRIME and XIENCE PRIME LL EECSS have not been withdrawn from marketing in any country for any reason.

As of September 30, 2011; 472,860 XIENCE PRIME™ and XIENCE PRIME™ LL Everolimus Eluting Coronary Stent Systems have been distributed outside of the United States.

VIII. POTENTIAL ADVERSE EFFECTS OF THE DEVICE ON HEALTH

Below is a list of the potential adverse effects (e.g., complications) associated with the use of the XIENCE PRIME and XIENCE PRIME LL Everolimus Eluting Coronary Stent System.

Adverse events (in alphabetical order) which may be associated with percutaneous coronary and treatment procedures, where coronary stents are used in native coronary arteries include, but are not limited to:

- Abrupt closure
- Access site pain, hematoma, or hemorrhage
- Acute myocardial infarction
- Allergic reaction or hypersensitivity to contrast agent or cobalt, chromium, nickel, tungsten, acrylic, and fluoropolymers; and drug reactions to antiplatelet drugs or contrast agent
- Aneurysm
- Arterial perforation and injury to the coronary artery
- Arterial rupture
- Arteriovenous fistula
- Arrhythmias, atrial and ventricular
- Bleeding complications, which may require transfusion
- Cardiac tamponade
- Coronary artery spasm
- Coronary or stent embolism
- Coronary or stent thrombosis
- Death
- Dissection of the coronary artery
- Distal emboli (air, tissue or thrombotic)
- Emergent or non-emergent coronary artery bypass graft surgery
- Fever
- Hypotension and/or hypertension
- Infection and pain at insertion site
- Injury to the coronary artery
- Ischemia (myocardial)
- Myocardial infarction (MI)
- Nausea and vomiting
- Palpitations

- Peripheral ischemia (due to vascular injury)
- Pseudoaneurysm
- Renal failure
- Restenosis of the stented segment of the artery
- Shock/pulmonary edema
- Stroke/cerebrovascular accident (CVA)
- Total occlusion of coronary artery
- Unstable or stable angina pectoris
- Vascular complications, including at the entry site, which may require vessel repair
- Vessel dissection

Everolimus is approved in the United States under the name of Zortress by Novartis Pharmaceuticals for the prophylaxis of organ rejection in adult kidney transplant recipients at low-moderate immunologic risk, at the dose of 1.5 mg/day when taken by mouth. Outside the United States, Zortress is sold under the brand name Certican in more than 70 countries. Everolimus is also approved in the United States under the name of Afinitor for the treatment of patients with advanced renal cell carcinoma (cancer) after failure of treatment with sunitinib or sorafenib, at doses of 5 to 20 mg/day when taken by mouth. The amount of drug that circulates in the bloodstream following implantation of a XIENCE PRIME stent is several folds lower than that obtained with oral doses (1.5 mg to 20 mg/day).

The following list includes the known risks of everolimus at the oral doses listed above:

- Abdominal pain
- Acne
- Anemia
- Anorexia
- Asthenia
- Coagulopathy
- Cough
- Diarrhea
- Dyspnea
- Dysgeusia
- Dry skin
- Edema peripheral
- Epistaxis
- Fatigue
- Headache
- Hemolysis
- Hypercholesterolemia
- Hyperglycemia
- Hyperlipidemia
- Hypertension
- Hypertriglyceridemia
- Hypogonadism male

- Infections: wound infection, urinary tract infection, pneumonia, pyelonephritis, sepsis and other viral, bacterial, and fungal infections
- Increased serum creatinine
- Leukopenia or lymphopenia
- Pruritus
- Pyrexia
- Liver function test abnormality
- Lung and breathing problems
- Lymphocele
- Mucosal inflammation
- Myalgia
- Nausea
- Non-infectious pneumonitis
- Pain in extremity
- Rash
- Renal tubular necrosis
- Stomatitis
- Surgical wound complication
- Thrombocytopenia
- Venous thromboembolism
- Vomiting

There may be other potential adverse events that are unforeseen at this time.

For the specific adverse events that occurred in the clinical studies, please see Section X. below.

IX. SUMMARY OF PRECLINICAL STUDIES

A series of non-clinical laboratory studies related to the XIENCE PRIME and XIENCE PRIME LL product were performed. Studies included those performed on the bare metal stent system (Multi-Link family — ML8, VISION and MINI VISION), the combination product XIENCE V or the finished combination product (XIENCE PRIME and XIENCE PRIME LL Stent Systems). Leveraging data from testing performed on the Multi-Link family is appropriate because the stent materials and manufacturing process are identical to the XIENCE PRIME for testing where it is appropriate to test bare metal stents.

A. Laboratory Studies

A1. Biocompatibility Studies

A series of GLP biocompatibility tests were conducted to demonstrate the components of the XIENCE PRIME and XIENCE PRIME LL Everolimus Eluting Coronary Stent System are non-toxic.

All biocompatibility testing was conducted in accordance with one or more of the following general regulations and guidance documents:

- Guidance for Industry and FDA Staff - Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems (April 18, 2010)
- Good Laboratory Practices Regulations (21 CFR § 58)
- ISO 10993, Biological Evaluation of Medical Devices
- USP <85> Bacterial Endotoxin Test
- USP <87/88> Biological Reactivity Tests
- USP <161> Transfusion and Infusion Assemblies and Similar Medical Devices

Table 3 describes the biocompatibility testing.

Table 3 Biocompatibility Test Summary

Test Name	Description of Test	Test Article and Results
Cytotoxicity	ISO 10993-5 USP: Cytotoxicity ISO Elution Test (MEM Extract)	• Composite sample of XIENCE PRIME stent and delivery system: Pass (non-cytotoxic) • XIENCE V stent: Pass (non-cytotoxic below toxicity threshold of everolimus) • Polymer-only coated stent: Pass (non-cytotoxic)
Sensitization	ISO 10993-10: Maximization Test for Delayed Hypersensitivity (ISO)	• Composite sample of XIENCE PRIME stent and delivery system: Pass (non-sensitizing) • XIENCE V stent: Pass (non-sensitizing below toxicity threshold of everolimus) • Polymer-only coated stent: Pass (non-sensitizing)
Intracutaneous Reactivity	ISO 10993-10 USP: Intracutaneous (Intradermal) Reactivity Test (ISO)	• Composite sample of XIENCE PRIME stent and delivery system: Pass (non-irritating) • XIENCE V stent: Pass (non-irritating below toxicity threshold of everolimus) • Polymer-only coated stent: Pass (non-irritating)
Systemic Toxicity	ISO 10993-11 USP: ISO Acute Systemic Toxicity	• Composite sample of XIENCE PRIME stent and delivery system: Pass (non-toxic)
	USP <88>: Systemic Injection Test (Mouse Injection)	• Polymer-only coated stent: Pass (non-toxic)
Hemocompatibility/ Hemolysis*	ISO 10993-4: Hemolysis Test – Extraction Method	Composite sample of XIENCE PRIME stent and delivery system: Pass (non-hemolytic)
	ISO 10993-4: Hemolysis, Direct Contact (Rabbit Red Blood Cells)	• XIENCE V stent: Pass (non-hemolytic)
	ISO 10993-4: Hemolysis, Indirect Contact (Rabbit Red Blood Cells)	• XIENCE V stent: Pass (non-hemolytic)
Complement Activation	ISO 10993-4: Complement Activation Test (C3a and SC5b-9)	XIENCE PRIME stent: Pass XIENCE PRIME delivery system: Pass
Pyrogenicity	ISO 10993-11 USP : LAL Bacterial Endotoxins Test for Medical Devices – Chromogenic Method	Composite sample of XIENCE PRIME stent and delivery system: Pass (non-pyrogenic)
	ISO 10993-11: Systemic Toxicity (Material Mediated Rabbit)	Composite sample of XIENCE PRIME stent and delivery system: Pass (non-pyrogenic)
Implantation	ISO 10993-6: 90-day (Rabbit, Intramuscular)	• 2.6X XIENCE V stent: Pass
	Sub-chronic Toxicity (fulfilled through 90-day implant)	
	USP <88> 7-day (Rabbit, Intramuscular)	• Polymer-only coated stent: Pass
Genotoxicity	ISO 10993-3: Bacterial	(2.6X XIENCE V stent: Pass (non-

	Reverse Mutation Assay (Ames test)	mutagenic)
	ISO 10993-3: *In Vitro* Chromosomal Aberration (Chinese Hamster Ovary cells)	• 2.6X XIENCE V stent: Pass (non-mutagenic)
	ISO 10993-3: Clastogenicity in Mammalian Cells (CHO/HGPRT forward mutation)	(2.6X XIENCE V stent: Pass (non-mutagenic)
	ISO 10993-3: Mammalian Erythrocyte Micronucleus Test	• 2.6X XIENCE V stent: Pass (non-mutagenic)
Reproductive Toxicity (Teratology)	ISO 10993-3: Reproductive and Developmental Toxicity	• XIENCE V stent: Pass (non-teratogenic)
Carcinogenicity	ISO 10993-3: Carcinogenicity	(XIENCE V stent: Pass (non-carcinogenic)

A2. ***In Vitro*** Engineering Testing

In vitro engineering testing, in accordance with FDA "*Guidance for and FDA Staff- Non-Clinical Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems,*" April 2010, was conducted on the XIENCE PRIME Stent except where the testing could be leveraged from the MULTI-LINK VISION, MULTI-LINK MINI VISION, or MULTI-LINK 8 stents, approved in P020047, P020047/S003, and P020047/017 respectively, or the XIENCE V stent, approved in P070017. Supplementary *in vitro* engineering tests were also performed on the XIENCE PRIME delivery systems containing the XIENCE PRIME stent mounted on a delivery catheter. This testing is summarized in **Table 4**. "Pass" denotes that the test results met product specifications and/or the recommendations in the above-referenced guidance document.

Table 4 ***In Vitro*** **Engineering Studies**

Test	Test Description	Results
Material Characterization Testing		
Material Analysis	Evaluations were conducted on the stent tubing provided by the material supplier prior to any processing to confirm chemical analysis, grain size, and inclusion content per relevant ASTM standards (F90, A751, E1086, F1479. E1019, E112, F138, F2527, E45). In addition, SEM analysis was conducted on bare metal stents to identify and analyze trace contaminants which may be present on the stent.	PASS
Material Properties: Tensile Strength and Elongation	Tensile strength and elongation testing was performed on the stent tubing prior to any processing. The tensile strength and elongation met acceptance criteria.	PASS
Corrosion Testing	Initial pitting corrosion testing conducted on the MULTI-LINK VISION stents (P020047) is leveraged to support the approval of the XIENCE PRIME Stent System. In addition, corrosion testing was conducted on MULTI-LINK 8 stents (P020047/S017) following 400 million cycles (ten year equivalent) of radial fatigue in an overlapped 15 mm static bend. The corrosion testing was conducted according to ASTM F2129 "Standard Test Method for Conducting Cyclic Potentiodynamic Measurements to Determine the Corrosion Susceptibility of Small Implant Devices" to demonstrate that the finished stents exhibit acceptable corrosion resistance. All MULTI-LINK VISION and MULTI-LINK 8 stents tested exceeded the minimum acceptance criteria for rest potential and breakdown potential and therefore exhibited acceptable pitting corrosion resistance. Both bare metal and polymer-only coated XIENCE V stents were tested according to ASTM F2129 to demonstrate that the finished stents exhibit acceptable corrosion resistance. Since the XIENCE PRIME stent is similar in design to the MULTI-LINK VISION and XIENCE V stents, identical to the MULTI-LINK 8 stent, and has the identical material and manufacturing processes as all three stents, the corrosion test results can be leveraged in support of the XIENCE PRIME Stent System.	PASS
Fretting Corrosion	XIENCE PRIME stents were evaluated following 400 million cycles (10 year equivalent) of radial fatigue testing in an overlapped 15mm static bend to determine the potential for fretting corrosion. The results met all acceptance criteria and indicated that the stents possess a high resistance to fretting corrosion.	PASS
Galvanic Corrosion	Testing was conducted on marketed stainless steel (MULTI-LINK TETRA) and CoCr (MULTI-LINK VISION) overlapped in a passive manner, and overlapped in an active manner (with disruption of the oxide layer) to determine the potential for galvanic corrosion. The results met the acceptance criteria and indicated a high resistance to galvanic corrosion.	PASS
Stent Dimensional and Functional Attributes		
Stent Dimensional Inspection	Measurements were taken of the bare metal stent strut width, thickness, and length. All stents met product specifications.	PASS
Stent Percent Surface Area	Determines the metal-to-artery ratio of the nominal XIENCE PRIME stent using a theoretical calculation that divides the total vessel contact metal surface area of the stent by the theoretical surface area of the vessel at the desired diameter. Metal to artery percentage ratios were calculated for each stent diameter, with the highest surface to artery ratio (17%) occurring at the smallest stent diameter (2.25 mm).	PASS

Table 4 *In Vitro* Engineering Studies

Test	Test Description	Results
Stent Uniformity of Expansion Test	Determines the uniformity of expansion along the stent length. XIENCE PRIME units were inflated to either nominal or post-dilated inner diameters, deflated, and diameter measurements were taken at various points along the stent length. Measurements were averaged and all XIENCE PRIME stents met product specifications.	PASS
Stent Percent Length Change (Foreshortening) Test	Determines the difference in stent length pre-and post-expansion to either nominal or post-dilated inner diameters. All stents met product specifications.	PASS
Stent Percent Recoil Test	Quantifies the amount of recoil of the stent after balloon expansion. The system was inflated to either nominal or post-dilated diameters and measurements were taken of the stent diameter at various locations along the stent length. The system was then deflated and the same measurements taken. The percent recoil is calculated by subtracting the average stent inner diameter (ID) without the balloon from the average stent ID with the balloon, dividing by the average stent ID with the balloon and multiplying by 100. All XIENCE PRIME stents met product specifications.	PASS
Radial Stiffness	Radial stiffness was evaluated on the XIENCE PRIME stent for information only.	For characterization only
Stent Radial (Hoop) Strength Test	Testing was conducted to determine the radial strength of the stent under compression force. Stents were expanded to either nominal or post-dilated diameters, placed in an Instron tester, and subjected to incrementally increasing compression forces. The pressure at which deformation is no longer completely reversible was recorded. All XIENCE PRIME stents met product specifications.	PASS
Finite Element Analysis (FEA)	An in-depth analysis of the stent was conducted to ensure that the implant conditions to which the stent will be subjected would not result in failure due to fatigue. The FEA evaluated the structural integrity of the stent when subjected to the expected loading conditions generated in coronary arteries. The analysis took into account manufacturing, delivery, implantation and clinical loading over the implant life, and predicted that fatigue failures of the XIENCE PRIME stent will not likely occur.	PASS
Accelerated Structural Fatigue	Testing was conducted to demonstrate structural durability of the XIENCE PRIME stent under expected in vivo cyclic loading conditions for an equivalent of 10 years (~400 million cycles) in an overlapped configuration on a static bend with a radius of 15 mm. The stents were expanded to the largest intended diameter, and were dynamically cycled in a simulated vessel for 400 million cycles. Following cycling, stents were visually inspected under 40X magnification. No signs of strut cracking or breaking were detected.	PASS

Table 4 ***In Vitro*** **Engineering Studies**

Test	Test Description	Results
Magnetic Resonance Imaging (MRI)	Nonclinical testing has demonstrated that the XIENCE PRIME stent, in single and in overlapped configurations up to 71 mm in length, is MR Conditional. It can be scanned safely under the following conditions: • Static magnetic field of 1.5 or 3 Tesla • Spatial gradient field of 2500 Gauss/cm or less • Maximum whole-body-averaged specific absorption rate (SAR) of 2.0 W/kg (normal operating mode) for up to 15 minutes of scanning for each sequence The XIENCE PRIME stent should not migrate in this MRI environment. Nonclinical testing at field strengths greater than 3 Tesla has not been performed to evaluate stent migration or heating. MRI at 1.5 or 3 Tesla may be performed immediately following the implantation of the XIENCE PRIME stent. Stent heating was derived by using the measured nonclinical, in vitro temperature rises in a GE Excite 3 Tesla scanner and in a GE 1.5 Tesla coil in combination with the local specific absorption rates (SARs) in a digitized human heart model. The maximum whole body averaged SAR was determined by validated calculation. At overlapped lengths of up to 71 mm, the XIENCE PRIME stent produced a nonclinical maximum local temperature rise of 3.3°C at a maximum whole body averaged SAR of 2.0 W/kg (normal operating mode) for 15 minutes. These calculations do not take into consideration the cooling effects of blood flow. The effects of MRI on overlapped stents greater than 71 mm in length or stents with fractured struts are unknown. As demonstrated in nonclinical testing, an image artifact can be present when scanning the XIENCE PRIME stent. MR image quality may be compromised if the area of interest is in the exact same area, or relatively close to, the position of the XIENCE PRIME stent. Therefore, it may be necessary to optimize the MR imaging parameters for the presence of XIENCE PRIME stent. It is suggested that patients register the conditions under which the implant can safely be scanned with the MedicAlert Foundation (www.medicalert.org) or an equivalent organization	PASS

Table 4 ***In Vitro*** **Engineering Studies**

Test	Test Description	Results
Radiopacity	Confirms that the XIENCE PRIME stent is adequately visible under fluoroscopic imaging equipment. Testing indicated that visibility of the XIENCE PRIME stent is comparable to that of the MULTI-LINK VISION and MULTILINK MINI VISION under fluoroscopy.	PASS
Delivery System Dimensional and Functional Attributes		
Catheter Dimensional Measurements	The following characteristics were tested to conform to the applicable specifications: Tip Length, Tip Seal Length, Tip Unsealed Length, Proximal Unsealed Balloon Shaft, Total Catheter Length & Distal Catheter Length, Guide Wire Lumen Dimensions (Tip Inner Diameter (ID) & Distal Shaft Junction Notch ID), Stent Placement, Balloon Shoulder to Marker Alignment, Balloon Working Length, Proximal Shaft Marker Locations (Femoral Marker & Brachial Marker), Delivery System Outer Diameters (Distal Shaft OD, Mid Shaft OD, Proximal Shaft OD, Tip Entry OD, Guide Wire Notch OD). All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery, Deployment, and Retraction	Design validations demonstrate that the XIENCE PRIME Stent System meets the user needs.	PASS
Balloon Rated Burst Pressure	Statistically demonstrates with 95% confidence, at least 99.9% of the XIENCE PRIME Stent Systems will not rupture below the rated burst pressure (RBP) and to demonstrate that at a 95% confidence level, at least 99% of the XIENCE PRIME Stent Systems will not rupture below the maximum labeled compliance (MLC) pressure. All XIENCE PRIME Stent Systems met product specifications and confidence/reliability limits.	PASS
Unconstrained Balloon Fatigue	Statistically demonstrates with 95% confidence, at least 90% of the XIENCE PRIME Stent Systems will sustain 10 repeated inflations to the rated burst pressure inside the stent. All XIENCE PRIME Stent Systems met product specifications.	PASS
Stent Diameter vs. Balloon Pressure (Compliance)	Determines how the diameter of a deployed balloon varies with applied balloon pressures. All XIENCE PRIME Stent Systems met product specifications.	PASS
Soft Tip Tensile	Determines the tensile strength of the soft tip. All XIENCE PRIME Stent Systems met product specifications.	PASS
Distal Delivery System Tensile	Determines the tensile strength of the distal portion of the delivery system. All XIENCE PRIME Stent Systems met product specifications.	PASS
Proximal Adaptation Tensile Strength	Determines the tensile strength of the proximal adaptation of the delivery system. All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery System Crossing Profile – Crimped Stent Outer Diameter	Determines the crimped stent outer diameter. Measurements were taken at various locations along the length of the stent and averaged to calculate the mean outer diameter. All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery System Balloon Inflation/Deflation Times	Determines the amount of time required to inflate or deflate the delivery catheter balloon. Inflation times were tested for information only. All XIENCE PRIME Stent Systems met product specifications for deflation times.	PASS
Stent Dislodgement	Determines the amount of force required to displace a stent in both distal and proximal direction from its original, crimped position on the delivery system balloon after a pre-conditioning step where the system is tracked through a tortuous artery model. All XIENCE PRIME Stent Systems met product specifications.	PASS

Table 4 ***In Vitro*** **Engineering Studies**

Test	Test Description	Results
Delivery System Guiding Catheter Pullback	Statistically demonstrates that with 95% confidence, at least 99% of the XIENCE PRIME Stent Systems can be successfully retracted back into a 5F guiding catheter after tracking through a simulated tortuous model prior to the deployment of the stent. All XIENCE PRIME Stent Systems met product specifications and confidence/reliability limits.	PASS
Delivery System Preparation	Evaluates the ease of preparing the XIENCE PRIME Stent System using the aspiration method. All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery System Inner Member Collapse	Verifies that irreversible collapse of the inner member does not occur at or below 325 psi. All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery System Shaft Pressure (Proximal Adaption Pressure Integrity & Catheter Body Pressure Integrity).	Determines the pressure integrity of the catheter shaft proximal to the delivery system balloon. All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery System Coating Friction (Hydrophilic)	Determines the coefficient of frictions along the hydrophilic coated portion of the XIENCE PRIME catheter using an aorta lined fixture. All XIENCE PRIME Stent Systems met product specifications.	PASS
Delivery System Coating Dry Adhesion (Hydrophilic)	Determines the percent adhesion of the hydrophilic coating to the XIENCE PRIME catheter. The percent coating adhesion is determined by subtracting the percent coating removed from 100. All XIENCE PRIME Stent Systems met product specifications.	PASS
Catheter Kink and Flexibility Test	Determines the radius of curvature at which the delivery system kinks. All XIENCE PRIME Stent Systems met product specifications.	PASS
Catheter Torque Test - Turns to Failure	Determines the minimum number of rotations to break joints and/or materials or to lose functional integrity of the delivery system. All XIENCE PRIME Stent Systems met product specifications.	PASS

A3. Coating Characterization Testing

The coating Characterization testing conducted on the XIENCE PRIME stent is summarized in **Table 5.**

Table 5 Coating Characterization Testing

Test	Test Description	Results
Stent Coating Durability		
Coating Physical Structure and Chemical Properties	Characterizes various aspects of the coated stent including: • the coating thickness along the length of the stent and the drug density and its distribution in the stent coating, • the cross section of the coated stent struts, • the content uniformity along the length of the stent, • adhesion of the coating to the delivery system balloon, and • physical microstructure.	PASS
Coating Adhesion	Evaluates adhesion properties between the coating and the metal stent with shear stress analysis using a Nano-Scratch Tester	PASS
Coating Surface Integrity	Determines the stent coating surface integrity of the XIENCE PRIME stent after tracking through a tortuosity fixture, expansion, and post-dilated to RBP. Defect quantities and sizes were recorded. The compromised coating area was calculated as a percentage of entire coated stent surface. All stents met product specifications.	PASS
Coating Integrity after Balloon Rupture	Evaluates the stent coating surface integrity of the XIENCE PRIME stent after balloon rupture within the stent. The stents were compared to control stents expanded to nominal diameter.	PASS
Accelerated Coating Fatigue	Testing was conducted to demonstrate coating durability of the XIENCE PRIME stent under expected in vivo cyclic loading conditions for an equivalent of 10 years (~400 million cycles) in an overlapped configuration on a static bend with a radius of 15 mm. The stents were deployed and post-dilated to the largest intended diameter. The drug was eluted from the coating. The stents were evaluated under SEM and then loaded into tubing and the fatigue tester. The stents were dynamically cycled within simulated vessel conditions for 400 million cycles. The stents were removed and visually inspected under SEM for changes to coating morphology in the documented anomalies that were captured prior to fatigue testing. All XIENCE PRIME stents met product specifications and confidence/reliability limits.	PASS
Particulate Matter: Regulatory Tracking Method (Particulates: Stents on a bend)	Determines the particulate matter after navigating simulated, challenging vasculature followed by deployment in a 15 mm radius bend. The XIENCE PRIME system was tracked through a simulated tortuous artery model and the stent was deployed unconstrained to RBP inside simulated vasculature. Water was drawn through the vasculature and the particle quantities and sizes were counted and recorded. All stents met product specifications.	PASS
Particulate Matter: Beaker Method (Over Expansion)	Determines the particulate matter generated during deployment and over expansion of the XIENCE PRIME stent in a beaker of water. The distal end (balloon and stent) was inserted into glassware filled with clean water. The stents were deployed and post-dilated to the maximum stent diameter. After agitation, aliquots of the water were withdrawn and the particle quantities and sizes were counted and recorded. All stents met product specifications.	PASS

Test	Test Description	Results
Particulate Matter: Tracking on a Bend Method (Overlap Configuration)	Determines the particulate matter after navigating simulated, challenging vasculature followed by deployment of two stents in an overlapped configuration. The XIENCE PRIME system was tracked through tortuous artery model and the stent was deployed constrained to RBP on a bend of the tortuous path. A second stent was then deployed, overlapping the first. Water was drawn through the vasculature and the particle quantities and sizes were counted and recorded. All stents met product specifications.	PASS
Embolic Fatigue (Overlap Configuration)	Investigates the embolic particle size and count from the XIENCE PRIME stent during an accelerated radial fatigue test. The test was performed under an accelerated pulsatile pressure loading with physiologic displacements for an equivalent of 10 years (~400 million cycles). The stents were tested on a static bend with a radius of 15 mm in an overlapped configuration by overlapping two stents of the same size with an overlapped length of 4 mm. Particle quantities and sizes were recorded from each pair of stents through the testing duration.	PASS

A4. Chemistry, Manufacturing & Controls (CMC) Testing

Where applicable, International Conference on Harmonization (ICH) Guidelines were followed for the testing routinely performed on the XIENCE PRIME stent as part of CMC. This testing is summarized in **Table 6**. Information to support the stability of the XIENCE V stent is summarized separately in **Section IX.A5 Stability/Shelf Life**.

Table 6 XIENCE PRIME Stent Release Testing

Test	Test Description
Appearance	A visual inspection is conducted to verify that the XIENCE PRIME meets product appearance specifications.
Identity	Assays are conducted to verify the identity of the drug substance, everolimus, on the XIENCE PRIME stent using two different methods
Total Content	Assay is conducted to quantitatively verify that the total amount of drug on the XIENCE PRIME stent met specification for finished good release.
Content Uniformity	Multiple stents are tested to verify that the uniformity of the drug content between individual stents was within specifications established for finished good release.
Degradation Products	Assays are conducted to quantitatively verify the amount and type of degradation products on the XIENCE PRIME stent.
USP <85> Bacterial Endotoxins Test	The amount of bacterial endotoxins is verified to be within the specification limits established for finished good release.
Sterility Biological Indicator	Release of each lot of XIENCE PRIME stents is based on verification that the individual lot complied with validated sterilization cycle parameters and satisfies the requirement for labeling the finished goods as sterile.
Drug Release	The in vitro drug release profile of the drug substance, everolimus, is measured on the XIENCE PRIME stent. The product meets specifications established for finished good release.
Residual Solvents	The amount of residual solvent is verified to be within the specification limits established for finished good release.
Particulate	Particulate levels are verified to meet product specifications.

A5. Stability/Shelf Life

A formal stability study was conducted to establish a shelf life / expiration date for the XIENCE PRIME Stent System. Testing included appearance, total content, drug release, degradation products, oxygen content, molecular weight and polydispersity, bubble leak test (packaging integrity), endotoxin (pyrogen), particulates, and butylated hydroxytoluene (BHT) content. Testing to establish container closure integrity was conducted to ensure sterility was maintained during the shelf life of the product. Functional testing of the stent system was conducted on aged product. The data generated to-date support a shelf life of 9 months.

A6. Sterilization

The XIENCE PRIME Stent System is sterilized using ethylene oxide (EO) sterilization. The cycle is validated per the ISO 11135-1: 2007 Medical Devices – Validation and Routine Control of Ethylene Oxide Sterilization. Results obtained from the sterilization studies show that the product satisfies a minimum Sterility Assurance Level (SAL) of 10^{-6}. In addition, the amount of bacterial endotoxins was verified to be within the specification limits.

B. *In Vivo* Animal Studies

B1. *In Vivo* Pharmacokinetics

One *in vivo* PK study was carried out in an animal model to evaluate the PK profile of the drug from the XIENCE PRIME stent system and to assess the bioequivalence between the XIENCE PRIME stent system and the XIENCE V Stent System by comparing their drug release profiles through biostatistic analysis.

A summary of the performed PK study to support product safety is included in **Table 4.**

B2. Drug Interactions

Formal drug interaction studies have not been conducted with the XIENCE PRIME stent. Everolimus is extensively metabolized by cytochrome P450 3A4 (CYP3A) isozyme in the gut wall and liver and is a substrate for the countertransporter Pglycoprotein. Therefore, absorption and subsequent elimination of everolimus may be influenced by drugs that affect these pathways. Coadministration of strong CYP3A inhibitors (such as ketoconazole, itraconazole, ritonavir) and inducers (such as rifampicin, rifabutin) should be avoided. Coadministration of moderate CYP3A inhibitors (such as erythromycin, fluconazole, calcium channel blockers) and inducers (such as carbamazepine, phenobarbital, phenytoin) should be accompanied by everolimus therapeutic drug monitoring. The pharmacokinetic interaction between orally administered everolimus and concomitantly administered drugs is described in the XIENCE PRIME stent system Instructions for Use.

B3. Animal Safety Studies

Detailed arterial histopathology and histomorphometry are not obtainable through human clinical trials, so a series of animal studies were conducted to evaluate safety, efficacy (proof of concept dosing), and overall product performance.

The two *in vivo* safety studies, conducted in the porcine coronary model at 28 and 180 days, demonstrate the safety of the XIENCE PRIME stent system and an overall comparability to the XIENCE V Stent System. The 28 and 180 day time points were selected as key time points to evaluate drug effect and vascular healing following stent implantation.

Summaries of the major animal studies performed to support product safety are included in **Table 7**.

Table 7 GLP Animal Studies for the XIENCE PRIME Stent System Findings

Study #	Stent Design	Animal Model (n)	# of Stents	Follow-up Duration	Endpoints
R0061003 KBP	**Test Article:** XIENCE PRIME (3.0 x 12 mm, 100 $\mu g/cm^2$) **Control:** • XIENCE V (3.0 x 12 mm, 100 $\mu g/cm^2$) • MULTI-LINK VISION (3.0 x 12 mm) **GLP:** Yes	Farm Swine (12) (LAD, LCX, RCA) 1 stent/vessel; 2 or 3 stents/animal	Test: 12 (XIENCE PRIME =12) Control: 23 (XIENCE V = 11, MULTI-LINK VISION =12)	28 days	• Chronic vascular response • Quantitative Coronary Angiography • Histological & histomorphometric evaluations. • Evaluation of degree of endothelialization by SEM
R0061002 KBP	**Test Article:** XIENCE PRIME (3.0 x 12 mm, 100 $\mu g/cm^2$) **Controls:** • XIENCE V (3.0 x 12 mm, 100 $\mu g/cm^2$) • MULTI-LINK VISION (3.0 x 12 mm) **GLP:** yes	Yucatan Swine (12) (LAD, LCX, RCA) 1 stent/vessel; 3 stents/animal	Test: 12 (XIENCE PRIME = 12. Control: 24 (XIENCE V = 12, MULTI-LINK VISION = 12)	180 days	• Quantitative Coronary Angiography • Histological & histomorphometric evaluations • Evaluation of degree of endothelialization by SEM • Chronic vascular response
R0061106 MJL	**Test Article:** XIENCE PRIME (3.0 x 12 mm, 100 $\mu g/cm^2$) **GLP:** yes	Yucatan Swine (8) Farm Swine (16) (LAD, LCX, RCA) 1 stent/vessel 2 or 3 stents/animal	Test: 69 XIENCE PRIME	0.125, 1, 3, 7, 14, 28, 60, 90, 120, 180, 240, 300 days	• *In vivo* pharmacokinetics • Bioequivalence between XIENCE V and XIENCE PRIME

X. SUMMARY OF CLINICAL STUDIES

The XIENCE PRIME Stent System safety and effectiveness is derived from the SPIRIT PRIME clinical trial that was conducted under IDE #G090068. The SPIRIT PRIME clinical trial was designed to demonstrate the safety and effectiveness of the XIENCE PRIME family of stent systems in improving coronary luminal diameter in subjects with symptomatic heart disease due to a maximum of two *de novo* native coronary artery lesions, each in a different epicardial vessel. This global trial consists of two separate arms, the Core Size Registry and the Long Lesion Registry. One-year results are presented here and yearly follow-up for clinical parameters through 5 years is ongoing. Given the substantial similarities between the XIENCE PRIME and XIENCE V stent systems, clinical trials previously conducted on the XIENCE V stent are also relevant and included in the Instructions For Use (IFU). For additional details on the SPIRIT family of trials, see the SSED for P070015 (http://www.accessdata.fda.gov/cdrh_docs/pdf7/P070015b.pdf).

A. Study Design

The SPIRIT PRIME clinical trial is a prospective, nonrandomized, open-label, multicenter study consisting of two separate arms, the Core Size Registry (stent diameters 2.25, 2.5, 3.0, 3.5, 4.0 mm with stent lengths 8, 18, and 28[ii] mm) and the Long Lesion Registry (stent diameters, 2.5, 3.0, 3.5, 4.0 mm with stent lengths 33 and 38 mm) in 505 subjects at up to 75 global sites. For clinical trial design purposes, the 28 mm length stent is included in the Core Size Registry because the historical data on XIENCE V used to develop the comparative performance goal includes stent lengths up to 28 mm. The Long Lesion Registry only includes subjects with at least one 33 and 38 mm length stents as there were limited data on these stent lengths from which to develop a comparative performance goal.

Each subject was to receive treatment in up to two *de novo* native coronary lesions, each lesion in a different epicardial vessel. Subjects in the Core Size Registry were allowed to have: one target lesion treated with the core size XIENCE PRIME stent systems (stent diameters 2.25-4.0 mm with stent lengths 8, 18, 28 mm) or two target lesions in separate epicardial vessels, treated with two core size XIENCE PRIME stent systems (stent diameters 2.25-4.0 mm with stent lengths 8, 18, 28 mm).

Subjects in the Long Lesion Registry were allowed to have: one target lesion treated with the XIENCE PRIME stent system (stent diameters 2.5-4.0 mm with stent lengths 33 or 38 mm) or two target lesions in separate epicardial vessels, treated with two XIENCE PRIME stent system (stent diameters 2.5-4.0 mm with stent lengths 33 or 38 mm) or one XIENCE PRIME stent system (stent diameters 2.5-4.0 mm with stent lengths 33 or 38 mm) and one XIENCE PRIME stent system (stent diameters 2.25-4.0 mm with stent lengths 8, 18, 28 mm). All subjects in the Long Lesion Registry were required to be treated with at least one XIENCE

[ii] The 28 mm length stent was studied in the XIENCE PRIME Core Size Registry. The results of the Core Size Registry are presented in Table 10.

PRIME stent of 33 or 38 mm in length. For both the Core Size Registry and Long Lesion Registry, planned overlap was not allowed, however overlap was allowed in case of bailout stenting.

The primary endpoint is target lesion failure (TLF) at one year, a composite endpoint of cardiac death, target vessel myocardial infarction (TV-MI), and clinically indicated target lesion revascularization (CI-TLR). The primary endpoint rates of TLF at 1 year (per protocol and per ARC definitions) were compared to a set of pre-specified performance goals (PGs) for both Core Size Registry and Long Lesion Registry as shown below.

The PG for the Core Size Registry was developed utilizing historical data from the SPIRIT III trial, while the PG for the Long Lesion Registry was developed based on a regression analysis conducted on the historical data from the pooled SPIRIT II and III trials. Although the SPIRIT PRIME trial defined TLF based on the ARC definition of MI, the historical SPIRIT II and III trials used to develop the initial PG were based on the per protocol definition of MI. In order to provide a comparison of outcomes using the same definitions for both the treatment arms and PGs, two subsequent analyses, with PGs developed using the same definitions (per protocol and per ARC), were developed and are presented in rows 2 and 3 of the table below.

Table 8 Analyses of the Primary Endpoint

TLF Primary Endpoint	**Core Size Registry* Performance Goal**	**Long Lesion Registry** Performance Goal**
TLF Cardiac Death, *ARC-Defined TV-MI, CI-TLR*	9.2%[1]	19.2%[1]
TLF Cardiac death, *Protocol-Defined TV-MI, CI-TLR*	9.2%[1]	19.2%[1]
TLF Cardiac death, *ARC-Defined TV-MI, CI-TLR*	15.3%[2]	26.0%[2]

[1] Performance goal developed based on per protocol-defined MI.
[2] Performance goal developed based on per ARC-defined MI.
* The Core Size Registry includes 2.25 - 4.0 mm stent diameters, 8, 18, 28 mm lengths
** The Long Lesion Registry includes 2.5 - 4.0 mm stent diameters, 33 and 38 mm stent lengths

The primary analysis of the SPIRIT PRIME data was performed on the Full Analysis Set (FAS) population which was defined as the subjects who received the XIENCE PRIME stent. The Intent to Treat (ITT) population was defined as the subjects enrolled into the study, regardless of the treatment actually received; this population excludes de-registered subjects.

The clinical trial design for SPIRIT PRIME is summarized in **Table 9**.

Table 9 SPIRIT PRIME Clinical Trial Design

	SPIRIT PRIME
Study Type/Design	• Prospective • Two-arm • Open-label • Multi-center • Registry
Number of Subjects Enrolled	Total 529 Core Size Registry 419 Long Lesion Registry 110
Treatment	Maximum of two *de novo* coronary lesions, each in a different epicardial vessel.
Lesion Size	**XIENCE PRIME, Core Size** RVD: ≥2.25 mm and ≤ 4.25 mm Lesion Length: ≤ 22 mm **XIENCE PRIME, Long Lesion** RVD: ≥ 2.5 mm and ≤ 4.25 mm Lesion Length: > 22 mm and ≤ 32 mm
Stent Sizes	**Core Size Registry** Stent diameter: 2.25, 2.5, 3.0, 3.5, and 4.0mm Stent Lengths: 8, 18, and 28 mm **Long Lesion Registry** Stent diameter: 2.5, 3.0, 3.5, and 4.0 mm Stent Length: 33 and 38 mm
Post-procedure Antiplatelet Therapy	Clopidogrel 12 months minimum (or ticlopidine per site standard), aspirin indefinitely
Primary Endpoint	Target lesion failure (TLF) defined as the composite rate of cardiac death, target vessel myocardial infarction (TV-MI) and clinically indicated target lesion revascularization (CI-TLR) at 1year.
Co-Primary Endpoint	None
Major Secondary Endpoint	None
Clinical Follow-up	30 days, 180 days, 1-5 years
Angiographic Follow-up	None
IVUS Follow-up	None
PK Study	None
Status	One year reported

1. Clinical Inclusion/Exclusion Criteria

Enrollment in the SPIRIT PRIME clinical trial was limited to subjects who met the eligibility criteria and who provided a signed informed consent form prior to enrollment. Subjects had to be at least 18 years old, with evidence of myocardial ischemia based on the presence of angina, silent ischemia, a positive functional study or reversible ECG changes consistent with ischemia. Female subjects with childbearing potential had to have a negative pregnancy test within 7 days of the index procedure.

Angiographic Inclusion Criteria

- One or two *de novo* target lesions each in a different epicardial vessel.
- If there are two target lesions, both lesions must satisfy the angiographic eligibility criteria for that registry.
- Multiple focal *de novo* lesions in a target vessel that can be covered by a single stent are allowed.
- The target lesion(s) must be located in a major artery or branch with a visually estimated diameter stenosis of ≥ 50% and < 100% with a TIMI flow of ≥ 1.
- Target lesion(s) must be located in a native coronary artery with vessel diameter by visual estimation of:
  - ≥ 2.25 mm and ≤ 4.25 mm for treatment by the core size XIENCE PRIME stent
  - 2.5 mm and ≤ 4.25 mm for treatment by the XIENCE PRIME LL stent
- Target lesion(s) must be located in a native coronary artery with length by visual estimation of:
  - ≤ 22 mm for treatment by the core size XIENCE PRIME stent
  - >22 mm and ≤ 32 mm for treatment by the XIENCE PRIME LL stent

Angiographic Exclusion Criteria

All angiographic exclusion criteria are based on visual estimation.

- Target lesion located within an arterial or saphenous vein graft or distal to a diseased (vessel irregularity per angiogram and > 20% stenosed lesion) arterial or saphenous vein graft.
- Target lesion involving a bifurcation with a side branch ≥ 2 mm in diameter and/or ostial lesion > 40% stenosed or side branch requiring protection guide wire, or side branch requiring predilatation.
- Target lesion with total occlusion (TIMI flow 0), prior to crossing with wire.
- Another lesion requiring revascularization is located in the same epicardial vessel of the target lesion.
- Restenotic target lesion.
- Aorto-ostial target lesion (within 3 mm of the aorta junction).
- Target lesion is in a left main location.
- Target lesion located within 2 mm of the origin of the LAD or LCX.
- Extreme angulation (≥ 90°) or excessive tortuosity (≥ two 45° angles) proximal to or within the target lesion.
- Heavy calcification proximal to or within the target lesion.
- Target vessel contains thrombus as indicated in the angiographic images.
- Target lesion has a high probability that a procedure other than pre-dilatation and stenting will be required at the time of index procedure for treatment of the target vessel (e.g. atherectomy, cutting balloon).
- Target vessel was previously treated with any type of PCI (e.g. balloon angioplasty, stent, cutting balloon, atherectomy) < 9 months prior to index procedure.

- Non-target vessel was previously treated with any type of PCI < 90 days prior to the index procedure.
- Additional clinically significant lesion(s) (e.g. %DS ≥ 50%) in a target vessel or side branch for which PCI may be required < 90 days after the index procedure.

2. Follow-up Schedule

All subjects will be followed up to five years. All subjects were required to have a hospital or office follow-up visit at 30 days and 1 year. There was the option for an office or telephone follow-up visits at 180 days and 2-5 years.

3. Stent Thrombosis Definitions

Stent Thrombosis (ST) was defined in the protocol as clinical presentation of acute coronary syndrome with angiographic appearance of thrombus within or adjacent to a previously treated target lesion. In the absence of angiography, any unexplained death, or acute MI (ST segment elevation or new Q-wave in the distribution of the target lesion within 30 days. Stent thrombosis was categorized as acute (≤ 1day), subacute (> 1day ≤ 30 days) and late (> 30 days).

Stent thrombosis was defined by ARC criteria as:

- Definite (angiographic confirmation with at least one of the following: acute onset of ischemic symptoms at rest, new ischemic changes suggestive of acute ischemia, typical rise and fall of cardiac biomarkers, or non-occlusive or occlusive thrombus)
- Probable (any unexplained death within the first 30 days or, irrespective of the time after the index procedure, any MI related to documented acute ischemia in the territory of the stent without angiographic confirmation), and
- Possible (any unexplained death from 30 days to end of trial follow-up).

Timing:

- Acute ST: 0 to 24 hours post stent implantation
- Subacute ST: > 24 hours - 30 days post stent implantation
- Late ST: 30 days to 1 year post stent implantation
- Very late ST: > 1 year post stent implantation

Level of probability:

- Definite ST - considered to have occurred by either angiographic or pathologic confirmation.
- Probable ST - considered to have occurred after intracoronary stenting in the following cases:
  1. Any unexplained death within the first 30 days.

2. Irrespective of the time after the index procedure, any MI which is related to documented acute ischemia in the territory of the implanted stent without angiographic confirmation of ST and in the absence of any other obvious cause.

- Possible ST - considered to have occurred with any unexplained death following 30 days after the intracoronary stenting until the end of trial follow-up.[iii]

4. Clinical Endpoints

The SPIRIT PRIME clinical trial primary endpoint was TLF at 1 year, defined as the composite of:

1. Cardiac death
2. Target Vessel Myocardial Infarction (TV-MI)
3. Clinically-indicated Target Lesion Revascularization (TLR).

Other key secondary endpoints to examine the safety and efficacy included the following:

- Acute Success: (combined clinical and angiographic)
- Clinical Device Success (Lesion basis)
- Clinical Procedural Success (Subject basis)
- Procedure time (from insertion to withdrawal of guide catheter)
- Clinical Endpoint in hospital and at each clinical follow-up time point (30 days, 180 days, 1,2,3,4 and 5 years):
  - All Death (Cardiac, Vascular, Non-cardiovascular)
  - TV-MI - Q-wave and non Q-wave (defined as MI not clearly attributable to a non-target vessel)
  - Non-target vessel MI (Q-wave, Non Q-wave)
  - CI-TLR
  - Clinically indicated Target Vessel Revascularization (TVR = TLR and non-TLR in TV)
  - All TLR (CI and non-CI)
  - All TVR (CI and non-CI)
  - All Coronary Revascularization (TVR and non-TVR)
  - Cardiac Death/All MI
  - Cardiac Death/All MI/CI-TLR
  - All Death/All MI/All Coronary Revascularization
  - Stent Thrombosis (per protocol and per ARC)

[iii] All data presented as definite + probable only.

B. Accountability of Subjects

SPIRIT PRIME Core Size Registry: The Core Size Registry analysis population had a total of 419 subjects. The ITT population consisted of 415 subjects, as four subjects were de-registered. The FAS population (only subjects receiving a XIENCE PRIME stent with stent diameters 2.25 - 4.0 and stent lengths 8, 18, 28 mm) consisted of 413 subjects. Only subjects with available cardiac enzyme data in window (between 8 hours post-procedure and hospital discharge) were included in the main data analysis of the primary and secondary endpoints in the FAS and ITT, resulting in a population of 401. The 401 subjects in the FAS population received a total of 484 XIENCE PRIME stent with stent diameters 2.25 - 4.0 and stent lengths 8, 18, 28 mm. Of the 401 subjects 88.3% (354/401) of these subjects were single target lesion subjects and 11.7% (47/401) were dual target lesion subjects.

SPIRIT PRIME Long Lesion Registry: The Long Lesion Registry analysis population had a total of 110 subjects. The ITT population consisted of 110 subjects and the FAS population (only subjects receiving at least one XIENCE PRIME stent with stent diameters 2.5 - 4.0 mm and stent lengths 33 and 38 mm) consisted of 107 subjects. Only subjects with available cardiac enzyme data in window (between 8 hours post-procedure and hospital discharge) were included in the main data analysis of the primary and secondary endpoints in the FAS and ITT, resulting in an ITT population of 106 and a FAS population of 104. The 104 subjects in the FAS population received a total of 105 XIENCE PRIME stent with stent diameters 2.5 - 4.0 mm and stent lengths 33 and 38 mm and 46 XIENCE PRIME stent with stent diameters 2.25 - 4.0 and stent lengths 8, 18, 28 mm. Of the 104 subjects, 80.8% (84/104) were single target lesion subjects and 19.2% (20/104) were dual target lesion subjects.

C. Study Population Demographics and Baseline Parameters

SPIRIT PRIME Core Size Registry: In the Core Size Registry, the mean age was 62.70 ± 10.23 years, 70.3% (282/401) were male, 29.7% (119/401) were female and 92.3% (346/375) were white. The average body mass index (BMI) was 30.86 ± 5.83 kg/m^2 and 50.3% (192/382) of subjects were obese, with a BMI ≥ 30. Regarding medical risk factors in the Core Size Registry, 19.2% (77/401) were tobacco users, 76.6% (307/401) were hypertensive requiring medication, and 80.3% (322/401) were hypercholesterolemic requiring medication. There were 11.1% (44/397) of subjects having had a prior cardiac intervention on the target vessel and 23.0% (91/395) had a prior MI. In addition, there were 45.6% (183/401) of subjects with stable angina and 24.9% (100/401) of subjects with unstable angina. Furthermore, the Core Size Registry consisted of 34.9% (140/401) diabetics, 29.9% (120/401) diabetics requiring medication and 3.5% (14/401) diabetics requiring diet and exercise only.

SPIRIT PRIME Long Lesion Registry: In the Long Lesion Registry, the mean age was 63.46 ± 9.44 years, 62.5% (65/104) were male, 37.5% (39/104) were female and 91.7% (88/96) were white. The average body mass index (BMI) was 30.67 ± 5.84 kg/m^2, and 49.5% (50/101) of subjects were obese, with a BMI ≥ 30. Regarding medical risk factors in

the Long Lesion Registry, 26.9% (28/104) were tobacco users, 75.0% (78/104) were hypertensive requiring medication, and 80.8% (84/104) were hypercholesterolemic requiring medication. There were 11.8% (12/102) of subjects having had a prior cardiac intervention on the target vessel and 22.5% (23/102) had a prior MI. In addition, there were 49.0% (51/104) of subjects with stable angina and 23.1% (24/104) of subjects with unstable angina. Furthermore, the Long Lesion Registry consisted of 35.6% (37/104) diabetics, 31.7% (33/104) diabetics requiring medication and 1.9% (2/104) diabetics requiring diet and exercise only.

D. Safety and Effectiveness Results

The results are presented in **Table 10** (Primary endpoint), **Table 11** (Core Size Registry Clinical Results), and **Table 12** (Long Lesion Registry Clinical Results). The primary endpoints and the components are presented in **Figure 3** and **Figure 4** for the Core Size Registry and in **Figure 5** and **Figure 6** for the Long Lesion Registry. These analyses are based on the Full Analysis Set (FAS). The FAS population is defined as subjects who have received at least one XIENCE PRIME stent including bailout. SPIRIT PRIME Core Size and Long Lesion Registries met all pre-specified PGs with statistical significance. The observed TLF rate at one year was 4.5% (18/399) (per protocol defined MI) and 6.5% (26/399) (per ARC defined MI) in the Core Size Registry, and 7.7% (8/104) (per protocol defined MI) and 12.5% (13/104) (per ARC defined MI) in the Long Lesion Registry respectively.

Table 10 SPIRIT PRIME Primary Endpoint Results

Core Size Registry*	XIENCE PRIME (N=401)	Performance Goal	P-Value
1 Year TLF Cardiac Death, *ARC-Defined TV-MI, CI-TLR*	6.5% (26/399)	9.2%§	0.0338
1 Year TLF Cardiac Death, *Protocol-Defined TV-MI, CI-TLR*	4.5% (18/399)	9.2%§	0.0003
1 Year TLF Cardiac Death, *ARC-Defined TV-MI, CI-TLR*	6.5% (26/399)	15.3%#	< 0.0001
Long Lesion Registry**	**XIENCE PRIME (N=104)**	**Performance Goal**	**P-Value**
1 Year TLF Cardiac Death, *ARC-Defined TV-MI, CI-TLR*	12.5% (13/104)	19.2%§	0.0484
1 Year TLF Cardiac Death, *Protocol-Defined TV-MI, CI-TLR)*	7.7% (8/104)	19.2%§	0.0009
1 Year TLF Cardiac Death, *ARC-Defined TV-MI, CI-TLR*	12.5% (13/104)	26.0%#	0.0006

Notes:

- N is the total number of subjects.
- Population for SPIRIT PRIME consists of those subjects who were treated with at least one PRIME stent and had cardiac enzyme data between 8 hour post index procedure and hospital discharge.
- TLF includes cardiac death, target vessel MI and clinically indicated TLR.
- Time Frame includes follow-up window (365 + 28 days).

[1] One-sided p-value against pre-specified performed goals, to be compared at a 0.05 significance level.

§ Performance Goal developed based on per-protocol definition MI.

Performance Goal developed based on per-ARC definition MI.

* The Core Size Registry includes 2.25 - 4.0 mm stent diameters, 8, 18, 28 mm lengths

** The Long Lesion Registry includes 2.5 - 4.0 mm stent diameters, 33 and 38 mm stent lengths

Table 11 SPIRIT PRIME Core Size Registry Clinical Results*

	OUTCOMES AT 1 YEAR Core Size Registry (N=401)
COMPOSITE EFFECTIVENESS & SAFETY	
TLF (per protocol)	4.5% (18/399)
TLF (per ARC)	6.5% (26/399)
EFFECTIVENESS	
CI-TLR	2.5% (10/399)
CI-TLR, CABG	0.3% (1/399)
CI-TLR, PCI	2.5% (10/399)
CI-TVR	4.5% (18/399)
SAFETY	
All Death	0.8% (3/399)
Cardiac Death	0.3% (1/399)
Non-Cardiac Death	0.5% (2/399)
Target Vessel MI (per protocol)	1.8% (7/399)
Target Vessel QMI (per protocol)	0.3% (1/399)
Target Vessel NQMI (per protocol)	1.5% (6/399)
All MI (per protocol)	1.8% (7/399)
QMI (per protocol)	0.3% (1/399)
NQMI (per protocol)	1.5% (6/399)
Target Vessel MI (per ARC)	4.0% (16/399)
Target Vessel QMI (per ARC)	0.3% (1/399)
Target Vessel NQMI (per ARC)	3.8% (15/399)
All MI (per ARC)	4.5% (18/399)
QMI (per ARC)	0.3% (1/399)
NQMI (per ARC)	4.3% (17/399)
Cardiac Death or All protocol MI	2.0% (8/399)
Cardiac Death or All ARC MI	4.8% (19/399)
ARC Definite + Probable Stent Thrombosis	
Cumulative through 1 year	0.5% (2/399)
Acute/Subacute (0 – 30 days)	0.5% (2/401)
Late (31 days – 1 year)	0.0% (0/399)

Notes:

- TLF is defined as a hierarchical composite of cardiac death, Target Vessel MI, and clinically-indicated TLR.
- Population for SPIRIT PRIME Core Size Registry consists of those subjects who were treated with at least one PRIME stent and had cardiac enzyme data between 8 hour post index procedure and hospital discharge.
- ARC: Academic Research Consortium

* The Core Size Registry includes 2.25 - 4.0 mm stent diameters, 8, 18, 28 mm lengths

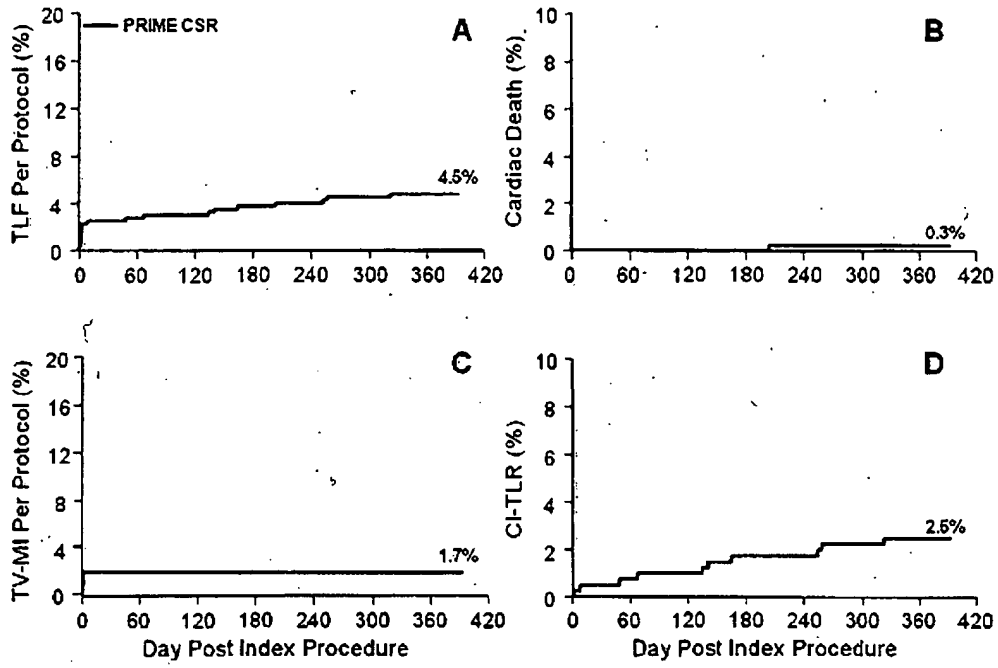


Figure 3 Core Size Registry Primary endpoint-TLF at 1 year per protocol (A) and its components of cardiac death (B), TV-MI per protocol (C) and CI-TLR (D)

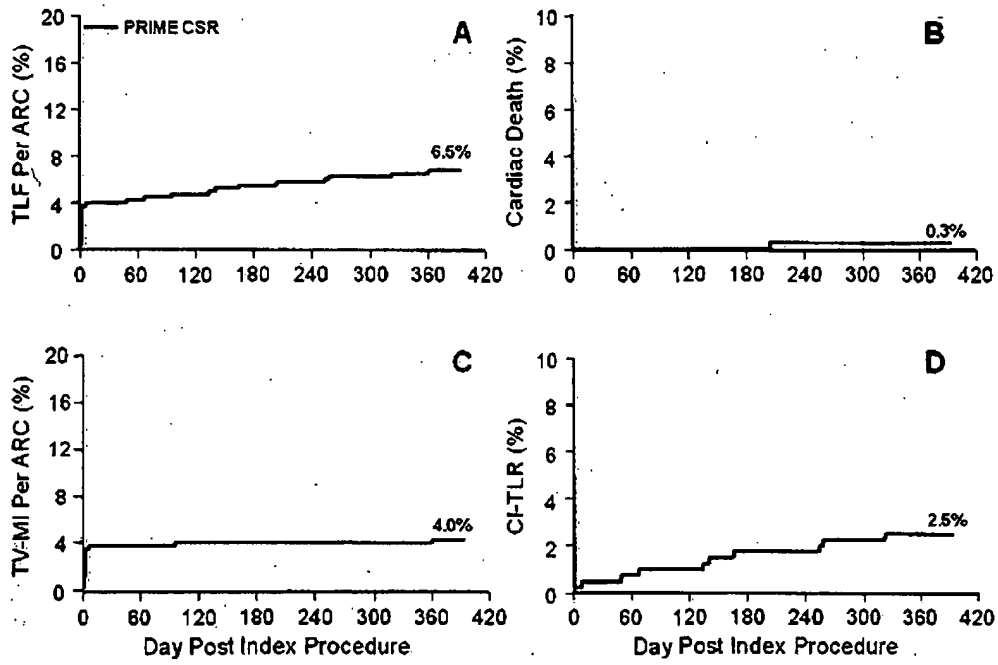


Figure 4 Core Size Registry-Primary endpoint-TLF at 1 year per ARC (A) and its components of cardiac death (B), TV-MI per protocol (C) and CI-TLR (D)

Table 12 SPIRIT PRIME Long Lesion Registry Clinical Results*

	OUTCOMES AT 1 YEAR Long Lesion Registry (N=104)
COMPOSITE EFFECTIVENESS & SAFETY	
TLF (per protocol)	7.7% (8/104)
TLF (per ARC)	12.5% (13/104)
EFFECTIVENESS	
CI-TLR	2.9% (3/104)
CI-TLR, CABG	0.0% (0/104)
CI-TLR, PCI	2.9% (3/104)
CI-TVR	4.8% (5/104)
SAFETY	
All Death	1.0% (1/104)
Cardiac Death	0.0% (0/104)
Non-Cardiac Death	1.0% (1/104)
Target Vessel MI (per protocol)	4.8% (5/104)
Target Vessel QMI (per protocol)	1.9% (2/104)
Target Vessel NQMI (per protocol)	2.9% (3/104)
All MI (per protocol)	4.8% (5/104)
QMI (per protocol)	1.9% (2/104)
NQMI (per protocol)	2.9% (3/104)
Target Vessel MI (per ARC)	10.6% (11/104)
Target Vessel QMI (per ARC)	1.9% (2/104)
Target Vessel NQMI (per ARC)	8.7% (9/104)
All MI (per ARC)	10.6% (11/104)
QMI (per ARC)	1.9% (2/104)
Cardiac Death or All protocol MI	4.8% (5/104)
Cardiac Death or All ARC MI	10.6% (11/104)
ARC Definite + Probable Stent Thrombosis	
Cumulative through 1 year	0.0% (0/104)
Acute/Subacute (0 – 30 days)	0.0% (0/104)
Late (31 days – 1 year)	0.0% (0/104)

Notes:

- TLF is defined as a hierarchical composite of cardiac death, Target Vessel MI, and clinically-indicated TLR.
- Population for SPIRIT PRIME Core Size Registry consists of those subjects who were treated with at least one PRIME stent and had cardiac enzyme data between 8 hour post index procedure and hospital discharge.
- ARC: Academic Research Consortium

* The Long Lesion Registry includes 2.5 - 4.0 mm stent diameters, 33 and 38 mm stent lengths

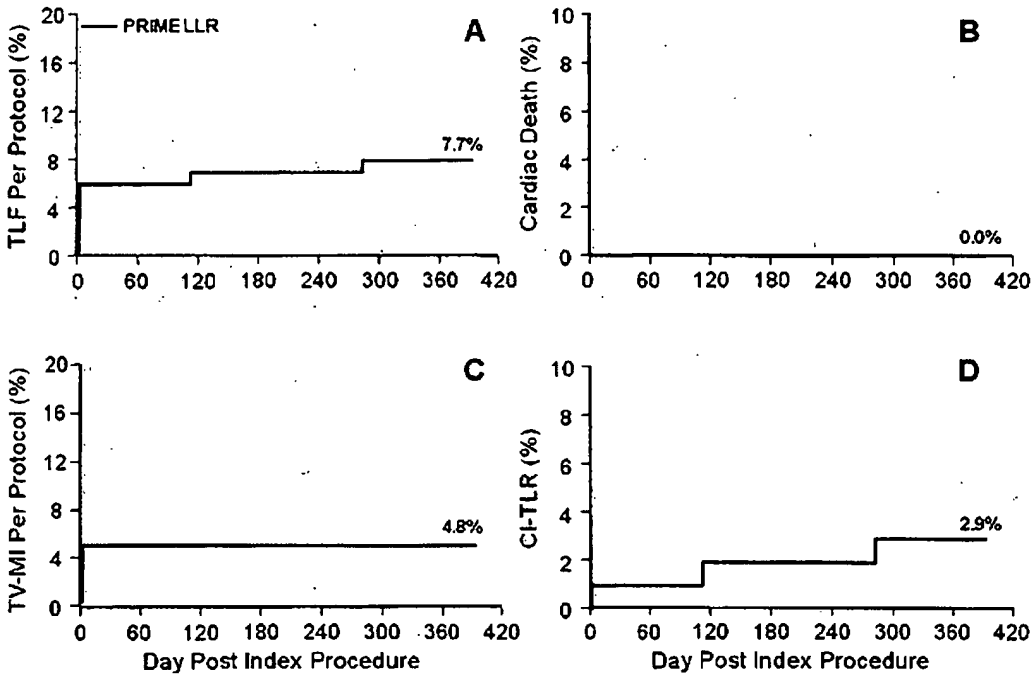


Figure 5 Long Lesion Registry Primary endpoint-TLF at 1 year per protocol (A) and its components of cardiac death (B), TV-MI per protocol (C) and CI-TLR (D)

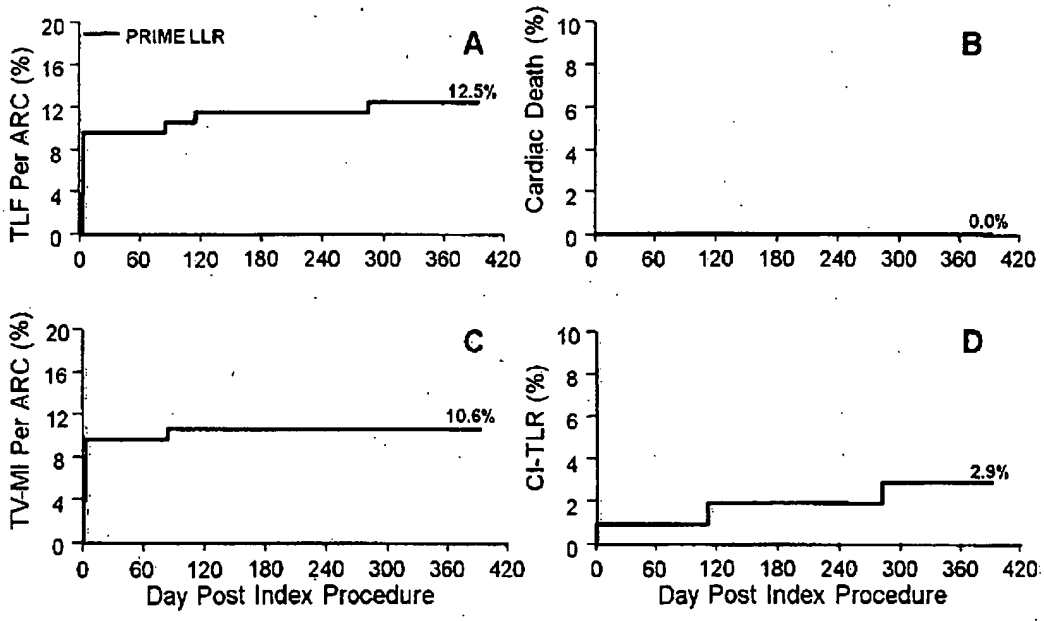


Figure 6 Long Lesion Registry Primary endpoint-TLF at 1 year per ARC (A) and its components of cardiac death (B), TV-MI per protocol (C) and CI-TLR (D)

Geriatric Use: The XIENCE PRIME clinical trial did not have an upper age limit. Among the 401 patients in the SPIRIT PRIME Core Size Registry, 167 were older than age 65 and 234 were age 65 or younger. Among the 104 patients in the SPIRIT PRIME Long Lesion Registry, 48 patients were older than age 65 and 56 were age 65 or younger. A post hoc analysis showed no clinically significant differences in clinical endpoints between patients older than age 65 compared to those age 65 years or younger.

XI. Gender-Based Analysis

Abbott Vascular performed a post hoc evaluation of the SPIRIT PRIME clinical trial for possible sex-based differences in baseline characteristics and clinical outcomes, as well as for any interaction between treatment and sex/gender. The SPIRIT PRIME trial was not designed or powered to study safety or effectiveness differences between sexes, so these analyses are considered exploratory without definitive conclusions.

In the Core Size Registry, 119/401 (29.7%) subjects were female and 282/401 (70.3%) were male. In the Long Lesion Registry, 39/104 (37.5%) subjects were female and 65/104 (62.5%) were male. In comparison, the prevalence of coronary artery disease (CAD) is estimated at 9.2 million in males and 8.4 million in females for adults age 20 and older the United States (i.e., the CAD population is estimated to be 52.2% males and 47.7% females). The disproportionate enrollment distribution in this trial may be partly attributable to gender differences in symptoms and pathophysiology, which may lead to under-diagnosis and under-referral of female patients with CAD. The gender proportions enrolled in this trial are similar to other drug-eluting stent trials.[1,2]

Table 13 presents the baseline demographics, risk factors, and angiographic characteristics by gender for subjects in the Core Size Registry. As is consistent with previous literature, female patients at baseline were numerically older and had a higher BMI. Additionally, more females than males had hypertension requiring medication and diabetes mellitus. Table 14 presents the baseline demographics, risk factors, and angiographic characteristics by gender for subjects in the Long Lesion Registry

Table 13 Demographics, Risk Factors, and Baseline Angiographic Characteristics for SPIRIT PRIME Core Size Registry Subjects *

Subject/Lesion Characteristics	Male (N=282) (M=315)	Female (N=119) (M=132)	Total (N=401) (M=447)	P-Value
Baseline Demographics, Mean ± SD (n)				
Age (year)	61.63 ± 10.37 (282)	65.23 ± 9.47 (119)	62.70 ± 10.23 (401)	0.0009[1]
Baseline Risk Factors, % (No./total)				
All Diabetes	31.9% (90/282)	42.0% (50/119)	34.9% (140/401)	0.0663[2]
Diabetes Treated with Insulin	7.4% (21/282)	14.3% (17/119)	9.5% (38/401)	0.0400[2]
Current Tobacco Use	19.1% (54/282)	19.3% (23/119)	19.2% (77/401)	1.0000[2]
Hypertension Requiring Medication	73.4% (207/282)	84.0% (100/119)	76.6% (307/401)	0.0278[2]
Hypercholesterolemia Requiring Medication	80.9% (228/282)	79.0% (94/119)	80.3% (322/401)	0.6815[2]
Stable Angina	44.0% (124/282)	49.6% (59/119)	45.6% (183/401)	0.3244[2]
Unstable Angina	25.2% (71/282)	24.4% (29/119)	24.9% (100/401)	0.9001[2]
Prior MI	25.0% (69/276)	18.5% (22/119)	23.0% (91/395)	0.1927[2]
Target Vessel, % (No./total)				
LAD	44.1% (139/315)	46.2% (61/132)	44.7% (200/447)	0.7545[2]
Circumflex or Ramus	23.8% (75/315)	25.8% (34/132)	24.4% (109/447)	0.7174[2]
RCA	31.7% (100/315)	28.0% (37/132)	30.6% (137/447)	0.5001[2]
LMCA	0.0% (0/315)	0.0% (0/132)	0.0% (0/447)	NA
Pre-Procedure QCA Analysis, Mean ± SD (m)				
Lesion Length (mm)	13.91 ± 5.10 (315)	13.06 ± 4.75 (132)	13.66 ± 5.01 (447)	0.0940[1]
Pre-Procedure RVD (mm)	2.76 ± 0.48 (315)	2.63 ± 0.45 (132)	2.72 ± 0.48 (447)	0.0067[1]
Pre-Procedure MLD (mm)	0.82 ± 0.40 (315)	0.81 ± 0.26 (132)	0.81 ± 0.36 (447)	0.7352[1]
Pre-Procedure Percent Diameter Stenosis (%DS)	70.01 ± 12.87 (315)	68.58 ± 8.53 (132)	69.59 ± 11.76 (447)	0.1676[1]

* Subjects with Cardiac Enzyme Data in Window

1 From T-test.

2 From Fisher's exact test.

Note: All p-values displayed are two-tailed and not from formal hypothesis testing and are displayed for descriptive purposes only.

Note: N is the total number of subjects.

Note: M is the total number of target lesions.

Note: This table contains only subjects with post index procedure cardiac enzyme data in window (between 8 hours post index procedure and hospital discharge).

Table 14 Demographics, Risk Factors, and Baseline Angiographic Characteristics for SPIRIT PRIME Long Lesion Registry Subjects*

Subject/Lesion Characteristics	Male (N=65) (M=80)	Female (N=39) (M=44)	Total (N=104) (M=124)	P-Value
Baseline Demographics, Mean ± SD (n)				
Age (year)	63.64 ± 9.97 (65)	63.15 ± 8.60 (39)	63.46 ± 9.44 (104)	0.7927[1]
Baseline Risk Factors, % (No./total)				
All Diabetes	32.3% (21/65)	41.0% (16/39)	35.6% (37/104)	0.4027[2]
Diabetes Treated with Insulin	9.2% (6/65)	10.3% (4/39)	9.6% (10/104)	1.0000[2]
Current Tobacco Use	26.2% (17/65)	28.2% (11/39)	26.9% (28/104)	0.8232[2]
Hypertension Requiring Medication	76.9% (50/65)	71.8% (28/39)	75.0% (78/104)	0.6418[2]
Hypercholesterolemia Requiring Medication	81.5% (53/65)	79.5% (31/39)	80.8% (84/104)	0.8023[2]
Stable Angina	43.1% (28/65)	59.0% (23/39)	49.0% (51/104)	0.1563[2]
Unstable Angina	27.7% (18/65)	15.4% (6/39)	23.1% (24/104)	0.2289[2]
Prior MI	25.0% (16/64)	18.4% (7/38)	22.5% (23/102)	0.4753[2]
Target Vessel, % (No./total)				
LAD	41.3% (33/80)	40.9% (18/44)	41.1% (51/124)	1.0000[2]
Circumflex or Ramus	27.5% (22/80)	18.2% (8/44)	24.2% (30/124)	0.2803[2]
RCA	31.3% (25/80)	40.9% (18/44)	34.7% (43/124)	0.3261[2]
LMCA	0.0% (0/80)	0.0% (0/44)	0.0% (0/124)	NA
Pre-Procedure QCA Analysis, Mean ± SD (m)				
Lesion Length (mm)	26.62 ± 7.89 (80)	25.17 ± 6.83 (44)	26.10 ± 7.53 (124)	0.2872[1]
Pre-Procedure RVD (mm)	2.80 ± 0.46 (80)	2.66 ± 0.40 (44)	2.75 ± 0.44 (124)	0.0864[1]
Pre-Procedure MLD (mm)	0.75 ± 0.28 (80)	0.79 ± 0.31 (44)	0.77 ± 0.29 (124)	0.5067[1]
Pre-Procedure Percent Diameter Stenosis (%DS)	72.05 ± 8.74 (80)	68.76 ± 9.60 (44)	70.88 ± 9.15 (124)	0.0632[1]

* Subjects with Cardiac Enzyme data in Window

1 From T-test.

2 From Fisher's exact test.

Note: All p-values displayed are two-tailed and not from formal hypothesis testing and are displayed for descriptive purposes only.

Note: N is the total number of subjects.

Note: M is the total number of target lesions.

Note: This table contains only subjects with post index procedure cardiac enzyme data in window (between 8 hours post index procedure and hospital discharge).

A post hoc analysis was conducted on the composite primary safety and effectiveness endpoint of TLF, per protocol and per ARC, to assess for heterogeneity of treatment effect across sex/gender (using Fisher's Exact Test). Table 15 and Table 16 present the clinical results for the Core Size Registry and Long Lesion Registry respectively. Due to the modest sample size (Core Size Registry 282 males vs. 119 females and Long Lesion Registry 65 males vs. 39 females), these analyses and interpretation are limited.

Table 15 Clinical Results for All Female and All Male Subgroups in the SPIRIT PRIME Core Size Registry through 1 year*

SPIRIT PRIME	Male (N=282)	Female (N=119)	Total (N=401)	P-Value[1]
All Death	1.1% (3/280)	0.0% (0/119)	0.8% (3/399)	0.5576
Cardiac Death	0.4% (1/280)	0.0% (0/119)	0.3% (1/399)	1.0000
Non-Cardiac Death	0.7% (2/280)	0.0% (0/119)	0.5% (2/399)	1.0000
Target Vessel MI per Protocol	1.8% (5/280)	1.7% (2/119)	1.8% (7/399)	1.0000
Cardiac Death or Target Vessel MI per Protocol	2.1% (6/280)	1.7% (2/119)	2.0% (8/399)	1.0000
Target Vessel MI per ARC	3.2% (9/280)	5.9% (7/119)	4.0% (16/399)	0.2639
Cardiac Death or Target Vessel MI per ARC	3.6% (10/280)	5.9% (7/119)	4.3% (17/399)	0.2906
Major Bleeding Complication	2.9% (8/280)	1.7% (2/119)	2.5% (10/399)	0.7298
Stent Thrombosis				
Protocol defined	0.7% (2/280)	0.0% (0/119)	0.5% (2/399)	1.0000
ARC definite + probable	0.7% (2/280)	0.0% (0/119)	0.5% (2/399)	1.0000
TLF				
per Protocol	5.4% (15/280)	2.5% (3/119)	4.5% (18/399)	0.2941
per ARC	6.4% (18/280)	6.7% (8/119)	6.5% (26/399)	1.0000
Ischemia-Driven TLR	3.2% (9/280)	0.8% (1/119)	2.5% (10/399)	0.2931
Ischemia-Driven TVR, non TL	2.9% (8/280)	2.5% (3/119)	2.8% (11/399)	1.0000

* Subjects with Cardiac Enzyme data in Window

1 From Fisher's exact test.

Note: All p-values displayed are two-tailed and not from formal hypothesis testing and are displayed for descriptive purposes only.

Note: Subjects are only counted once for each type of event in each time period.

Note: N is the total number of subjects.

Note: This table contains only subjects with post Index procedure cardiac enzyme data in window (between 8 hours post index procedure and hospital discharge).

Table 16 Clinical Results for All Female and All Male Subgroups in the SPIRIT PRIME Long Lesion Registry through 1 year*

SPIRIT PRIME	Male (N=65)	Female (N=39)	Total (N=104)	P-Value
All Death	1.5% (1/65)	0.0% (0/39)	1.0% (1/104)	1.0000
Cardiac Death	0.0% (0/65)	0.0% (0/39)	0.0% (0/104)	NA
Non-Cardiac Death	1.5% (1/65)	0.0% (0/39)	1.0% (1/104)	1.0000
Target Vessel MI per Protocol	4.6% (3/65)	5.1% (2/39)	4.8% (5/104)	1.0000
Cardiac Death or Target Vessel MI per Protocol	4.6% (3/65)	5.1% (2/39)	4.8% (5/104)	1.0000
Target Vessel MI per ARC	13.8% (9/65)	5.1% (2/39)	10.6% (11/104)	0.2024
Cardiac Death or Target Vessel MI per ARC	13.8% (9/65)	5.1% (2/39)	10.6% (11/104)	0.2024
Major Bleeding Complication	1.6% (1/63)	2.6% (1/39)	2.0% (2/102)	1.0000
Stent Thrombosis				
Protocol defined	0.0% (0/65)	0.0% (0/39)	0.0% (0/104)	NA
ARC definite + probable	0.0% (0/65)	0.0% (0/39)	0.0% (0/104)	NA
TLF				
per Protocol	9.2% (6/65)	5.1% (2/39)	7.7% (8/104)	0.7069
per ARC	16.9% (11/65)	5.1% (2/39)	12.5% (13/104)	0.1242
Ischemia-Driven TLR	4.6% (3/65)	0.0% (0/39)	2.9% (3/104)	0.2900
Ischemia-Driven TVR, non TL	3.1% (2/65)	2.6% (1/39)	2.9% (3/104)	1.0000

* Subjects with Cardiac Enzyme data in Window

1 From Fisher's exact test.

Note: All p-values displayed are two-tailed and not from formal hypothesis testing and are displayed for descriptive purposes only.

Note: Subjects are only counted once for each type of event in each time period.

Note: N is the total number of subjects.

Note: This table contains only subjects with post index procedure cardiac enzyme data in window (between 8 hours post index procedure and hospital discharge).

XII. PANEL MEETING RECOMMENDATION AND FDA'S POST-PANEL ACTION

In accordance with the provisions of section 515(c)(2) of the Act as amended by the Safe Medical Devices Act of 1990, this PMA was not referred to the Circulatory System Devices Panel, an FDA advisory committee, for review and recommendation because the information in the PMA substantially duplicates information previously reviewed by this panel.

XIII. CONCLUSIONS DRAWN FROM PRECLINICAL AND CLINICAL STUDIES

The safety and effectiveness of the Xience Prime Everolimus Eluting Coronary Stent System are based on the results obtained from: evaluation of biocompatibility; *in vitro* engineering testing; coating characterization; chemistry, manufacturing and controls information; *in vivo* animal testing; sterilization information; stability testing; and clinical studies. These tests revealed the following:

A. Safety Conclusions

The biocompatibility testing, *in vivo* pharmacokinetics evaluation and *in vivo* animal testing conducted on the XIENCE PRIME stent system demonstrate that the acute and chronic *in vivo* performance characteristics of the product provide reasonable assurance of safety and acceptability for clinical use.

The *in vitro* engineering testing conducted on the stent and delivery systems or appropriately leveraged from the XIENCE V stent demonstrated that the performance characteristics met the product specifications and the coating characterization testing adequately described the important attributes of the everolimus/polymer coating. The chemistry, manufacturing, and controls information ensures that product meeting specifications will be released.

The test results obtained from the sterilization testing demonstrated that the product can be adequately sterilized and is acceptable for clinical use. The stability testing and functional shelf life testing demonstrated that the product can be labeled with a shelf life of 9 months.

B. Effectiveness Conclusions

The SPIRIT PRIME clinical trial consisted of two cohorts, the Core Size Registry and the Long Lesion Registry. The results of the SPIRIT PRIME clinical trial showed that the primary composite endpoint of target lesion failure (TLF, defined as cardiac death, target vessel myocardial infarction (TV-MI), and clinically indicated target lesion revascularization (CI-TLR)) at one year was 6.5%, with an upper limit of the one-sided 95% confidence interval of 8.9%, which met the prespecified performance goal of $\leq 9.2\%$ ($p<0.0338$) for the Core Size Registry. The rate of TLF at one year in the Long Lesion Registry was 12.5%, with an upper limit of the one-sided 95% confidence interval of 19.1%, which met the prespecified performance goal of $\leq 19.2\%$ ($p<0.0484$) for the LLR. Both major secondary endpoints were also met. The composite endpoint of TLF contains both safety and effectiveness components.

The SPIRIT PRIME trial demonstrated that the XIENCE PRIME Everolimus Eluting Coronary Stent System provides a reasonable assurance of safety and effectiveness when used in accordance with the instructions for use.

C. Overall Conclusions

XIV. CDRH DECISION

CDRH issued an approval order on November 1, 2011. The final conditions of approval cited in the approval order are described below.

1. *Continued Follow-up of Premarket Cohort*: You must conduct a post-approval study to continue follow-up of the premarket cohorts, consisting of 500 patients (Core Size Registry -400 participants; Long Lesion Registry-100 participants). You should collect clinical outcomes through 5 years post-procedure on at least 80% of patients enrolled (excluding those discontinued due to death) in the SPIRIT PRIME clinical trial. This study will be conducted as per protocol submitted with the revised statistical analysis plan provided in Amendment 3 of the PMA. A comparison of primary and secondary endpoints of the CSR and the XIENCE V arm of the SPIRIT II, III, and IV trials (pooled data), will be provided. For the LLR cohort, the comparison endpoints will be made with the SPIRIT IV overlapping cohort due to lack of overlapping data in SPIRIT II and SPIRIT III and unavailability of the 33 and 38mm XIENCE V stents.

2. The issue of the optimal duration of dual antiplatelet therapy following PCI with drug-eluting stents (DES) remains a critical question that is currently being studied in the DAPT trial. FDA acknowledges that you are participating in this trial to address a condition of approval for the Xience V DES (P070015). As the duration of dual antiplatelet therapy is also relevant for the Xience Prime EECS, you must fulfill your commitment to the condition of PMA approval for P070015. When appropriate or as requested by FDA, you should submit PMA supplements to the Xience PRIME PMA (P110019) requesting approval to update your IFU to include the data collected in the DAPT trial. If you do not fulfill the condition of approval for P070015, you must conduct or participate in a separate clinical trial that will develop data to study the duration of dual antiplatelet therapy following implantation of the Xience PRIME DES and subsequently submit PMA supplements to this PMA requesting approval to include these data in an IFU update.

3. Within 12 months of PMA approval, you should submit a PMA supplement requesting approval to tighten the in-process coating weight gain specifications or implementing procedures to re-coat stents with less than 95% coating weight gain upon in-process inspection.

The applicant's manufacturing facilities were inspected and found to be in compliance with the device Quality System (QS) regulation (21 CFR 820).

XV. APPROVAL SPECIFICATIONS

Directions of use: See device labeling.

Hazards to Health from Use of the Device: See Indications, Contraindications, Warnings, Precautions, and Adverse Events in the device labeling.

Post-approval Requirements and Restrictions: See approval order.

XVI. REFERENCES

1. Lansky AJ, Costa RA, Mooney M, et al. Gender-Based Outcomes After Paclitaxel-Eluting Stent Implantation in Patients With Coronary Artery Disease. J Am Coll Cardiol 2005 45: 1180-5.
2. Solinas E, Nikolsky E, Lansky AJ, et al. Gender-Specific Outcomes After Sirolimus-Eluting Stent Implantation. J Am Coll Cardiol 2007;50:2111-6.

Exhibit D

XIENCE PRIME™ and XIENCE PRIME LL
Everolimus Eluting Coronary Stent Systems
Instructions for Use

℞ ONLY

Table of Contents

THE COMPONENTS OF THE XIENCE PRIME STENT SYSTEM ARE STERILE.

1.0 PRODUCT DESCRIPTION

The XIENCE PRIME family of stent systems includes:

- The XIENCE PRIME Everolimus Eluting Coronary Stent System (stent diameters 2.25, 2.5, 2.75, 3.0, 3.5, 4.0 mm, stent lengths 8, 12, 15, 18, 23 mm)

- XIENCE PRIME LL Everolimus Eluting Coronary Stent System (stent diameters 2.25[1], 2.5, 2.75, 3.0, 3.5, 4.0 mm, stent lengths 28, 33, 38 mm) Everolimus Eluting Coronary Stent Systems

Hereafter the XIENCE PRIME family of stent systems is referred to as the XIENCE PRIME stent or XIENCE PRIME stent system. The XIENCE PRIME stent systems are device/drug combination products consisting of a drug-coated stent and a balloon expandable delivery system. The stent is coated with a formulation containing everolimus, the active ingredient, embedded in a non-erodible polymer, which is identical to the FDA approved XIENCE V® Everolimus Eluting Coronary Stent System (XIENCE V EECSS).

[1] The 2.25 mm stent diameter for XIENCE PRIME LL is only available in the 28 mm stent length.

1.1 Device Component Description

The device component consists of a medical grade L-605 cobalt chromium (CoCr) drug-coated stent mounted onto the XIENCE PRIME stent delivery system. The device component characteristics are summarized in Table 1-1.

Table 1-1: XIENCE PRIME Stent System Product Description

<table>
<tr><td></td><td colspan="2">XIENCE PRIME Stent System</td></tr>
<tr><td></td><td>XIENCE PRIME</td><td>XIENCE PRIME LL</td></tr>
<tr><td>Available Stent Lengths (mm)</td><td>8, 12, 15, 18, 23</td><td>28*, 33, 38</td></tr>
<tr><td>Available Stent Diameters (mm)</td><td>2.25, 2.5, 2.75, 3.0, 3.5, 4.0</td><td>2.25**, 2.5, 2.75, 3.0, 3.5, 4.0</td></tr>
<tr><td>Stent Material</td><td colspan="2">A medical grade L-605 cobalt chromium CoCr alloy identical to the material used in the XIENCE V stent</td></tr>
<tr><td>Drug Component</td><td colspan="2">A conformal coating of a non-erodible polymer loaded with 100 µg/cm^2 of everolimus with a maximum nominal drug content of 232 µg on the large stent (4.0 x 38 mm)</td></tr>
<tr><td>Delivery System Working Length</td><td colspan="2">143 cm</td></tr>
<tr><td>Delivery System Design</td><td colspan="2">Single access port to inflation lumen; guide wire exit notch is located 25.5 cm from tip; designed for guide wires ≤ 0.014".</td></tr>
<tr><td>Stent Delivery System Balloon</td><td colspan="2">A compliant, tapered balloon, with two radiopaque markers located on the catheter shaft to indicate balloon positioning and expanded stent length</td></tr>
<tr><td>Balloon Inflation Pressure</td><td colspan="2">Rated Burst Pressure (RBP): 18 atm (1824 kPa)
<table><tr><th>Stent Diameter (mm)</th><th>In vitro Stent Nominal Pressure (atm)</th></tr><tr><td>2.25</td><td>8</td></tr><tr><td>2.5</td><td>8</td></tr><tr><td>2.75</td><td>8</td></tr><tr><td>3.0</td><td>10</td></tr><tr><td>3.5</td><td>10</td></tr><tr><td>4.0</td><td>10</td></tr></table></td></tr>
<tr><td>Guiding Catheter Inner Diameter</td><td colspan="2">≥ 5 F (0.056")</td></tr>
<tr><td>Catheter Shaft Outer Diameter</td><td colspan="2">Distal: 0.034" (0.86 mm)
Proximal: 0.031" (0.79 mm)</td></tr>
</table>

* The 28 mm length stent was studied in the XIENCE PRIME Core Size Registry. The results of the Core Size Registry are presented in Tables 9.1-2 to 9.1-3.

**The 2.25 mm diameter stent for XIENCE PRIME LL is only available in the 28 mm stent length.

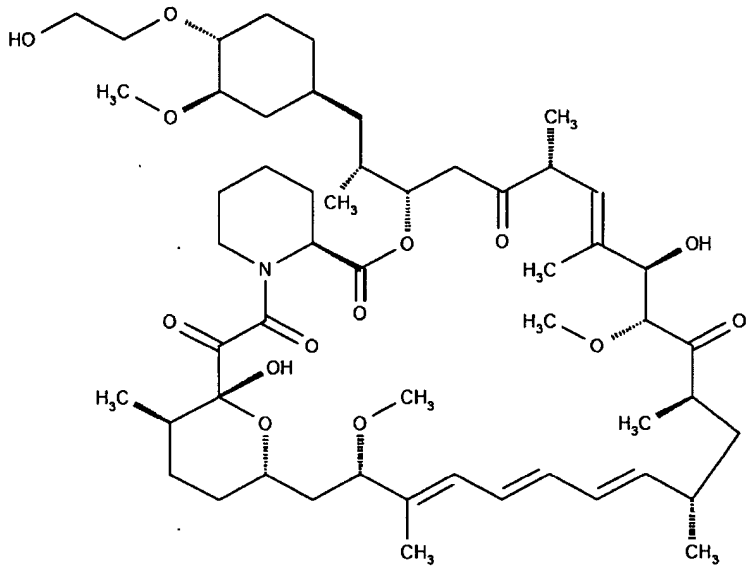
1.2 Drug Component Description

The XIENCE PRIME stent is coated with everolimus (active ingredient), embedded in a non-erodible polymer (inactive ingredient).

1.2.1 Everolimus

Everolimus is the active pharmaceutical ingredient in the XIENCE PRIME stent. It is a novel semi-synthetic macrolide immunosuppressant, synthesized by chemical modification of rapamycin (sirolimus). The everolimus chemical name is 40-O-(2-hydroxyethyl)-rapamycin and the chemical structure is shown in Figure 1.2.1-1 below.

Figure 1.2.1-1: Everolimus Chemical Structure

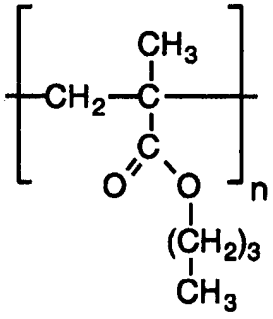


1.2.2. Inactive Ingredients – Non-erodible Polymer

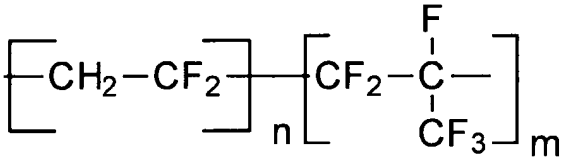
The XIENCE PRIME stent contains inactive ingredients, including poly n-butyl methacrylate (PBMA), a polymer that adheres to the stent and drug coating, and PVDF-HFP, which is comprised of vinylidene fluoride and hexafluoropropylene monomers as the drug matrix layer containing everolimus. PBMA is a homopolymer with a molecular weight (Mw) of 264,000 to 376,000 dalton. PVDF-HFP is a non-erodible semicrystalline random copolymer with a molecular weight (Mw) of 254,000 to 293,000 dalton. The drug matrix copolymer is mixed with everolimus (83%/17% w/w polymer/everolimus ratio) and applied to the entire PBMA-coated stent surface. The drug load is 100 $\mu g/cm^2$ for all product sizes. No topcoat layer is used. The polymer chemical structures are shown in Figure 1.2.2-2 below.

Figure 1.2.2-1: Non-erodible Polymer Chemical Structures

PBMA



PVDF-HFP



1.2.3 Product Matrix and Everolimus Content

Table 1.2.3-1: XIENCE PRIME Stent System Product Matrix and Everolimus Content

Model Number (RX)	Nominal Expanded Stent Diameter (mm)	Nominal Unexpanded Stent Length (mm)	Nominal Everolimus Content (µg)
1011730 - 08	2.25	8	40
1011731 - 08	2.5		40
1011732 - 08	2.75		40
1011733 - 08	3.0		40
1011734 - 08	3.5		50
1011735 - 08	4.0		50
1011730 - 12	2.25	12	60
1011731 - 12	2.5		60
1011732 - 12	2.75		60
1011733 - 12	3.0		60
1011734 - 12	3.5		75
1011735 - 12	4.0		75
1011730 - 15	2.25	15	74
1011731 - 15	2.5		74
1011732 - 15	2.75		74
1011733 - 15	3.0		74
1011734 - 15	3.5		91
1011735 - 15	4.0		91
1011730 - 18	2.25	18	88
1011731 - 18	2.5		88
1011732 - 18	2.75		88
1011733 - 18	3.0		88
1011734 - 18	3.5		116
1011735 - 18	4.0		116
1011730 - 23	2.25	23	109
1011731 - 23	2.5		109
1011732 - 23	2.75		109
1011733 - 23	3.0		109
1011734 - 23	3.5		141
1011735 - 23	4.0		141
1011730- 28	2.25	28	137
1011731 - 28	2.5		137
1011732 - 28	2.75		137
1011733 - 28	3.0		137
1011734 - 28	3.5		174
1011735 - 28	4.0		174
1011731 - 33	2.5	33	157
1011732 - 33	2.75		157
1011733 - 33	3.0		157
1011734 - 33	3.5		199
1011735 - 33	4.0		199
1011731 - 38	2.5	38	185
1011732 - 38	2.75		185
1011733 - 38	3.0		185
1011734 - 38	3.5		232
1011735 - 38	4.0		232

2.0 INDICATIONS

The XIENCE PRIME stent system is indicated for improving coronary artery luminal diameter in patients with symptomatic heart disease due to *de novo* native coronary artery lesions (length ≤ 32 mm) with reference vessel diameters of ≥ 2.25 mm to ≤ 4.25 mm.

3.0 CONTRAINDICATIONS

The XIENCE PRIME stent system is contraindicated for use in patients:

- Who cannot receive antiplatelet and/or anticoagulant therapy (see section *5.2 – Precautions, Pre- and Post-Procedure Antiplatelet Regimen* for more information)
- With lesions that prevent complete angioplasty balloon inflation or proper placement of the stent or stent delivery system
- With hypersensitivity or contraindication to everolimus or structurally-related compounds, cobalt, chromium, nickel, tungsten, acrylic, and fluoropolymers

4.0 WARNINGS

- Ensure that the inner package sterile barrier has not been opened or damaged prior to use.
- Judicious patient selection is necessary, because the use of this device carries the associated risk of stent thrombosis, vascular complications, and/or bleeding events.
- This product should not be used in patients who are not likely to comply with the recommended antiplatelet therapy (see section 5.2 for important information regarding antiplatelet therapy).

5.0 PRECAUTIONS

5.1 General Precautions

- Stent implantation should only be performed by physicians who have received appropriate training.
- Stent placement should be performed at hospitals where emergency coronary artery bypass graft surgery is accessible.
- Subsequent restenosis may require repeat dilatation of the arterial segment containing the stent. Long-term outcomes following repeat dilatation of the stent is presently unknown.
- Risks and benefits should be considered in patients with severe contrast agent allergies.
- Care should be taken to control the guiding catheter tip during stent delivery, deployment, and balloon withdrawal. Before withdrawing the stent delivery system, visually confirm complete balloon deflation by fluoroscopy to avoid guiding catheter movement into the vessel and subsequent arterial damage.
- Stent thrombosis is a low-frequency event that is frequently associated with myocardial infarction (MI) or death. Data from the SPIRIT family of clinical trials have been prospectively evaluated and adjudicated using both the protocol definition of stent thrombosis and the definition developed by the Academic Research Consortium (ARC), and demonstrate specific patterns of stent thrombosis that vary depending on the definition used (see section *8.2 – Adverse Events, Stent Thrombosis Definitions* and

section *9.4 – Spirit Family of Clinical Trials, Pooled SPIRIT II-III-IV Clinical Trials* for more information).

- When DES are used outside the specified Indications for Use, patient outcomes may differ from the results observed in the SPIRIT family of clinical trials.
- Compared to use within the specified Indications for Use, the use of DES in patients and lesions outside of the labeled indications, including more tortuous anatomy, may have an increased risk of adverse events, including stent thrombosis, stent embolization, MI, or death.
- Orally administered everolimus combined with cyclosporine is associated with increased serum cholesterol and triglyceride levels.

5.2 Pre- and Post-Procedure Antiplatelet Regimen

- In the SPIRIT PRIME clinical trial, clopidogrel bisulfate or ticlopidine hydrochloride was administered pre-procedure and for a minimum of 12 months post-procedure (75 mg per day). Aspirin was administered pre-procedure and continued through 5 years (a minimum of 80 mg per day) to reduce thrombosis risk. At 1 year, dual antiplatelet therapy compliance in the Core Size Registry was 92.8% (360/388) and in the Long Lesion Registry was 89.0% (89/100). Upon subject completion of the study, physicians recommended that the subject remain on the aspirin regimen indefinitely).
- The optimal duration of dual antiplatelet therapy, specifically clopidogrel, is unknown and DES thrombosis may still occur despite continued therapy. Data from several studies on sirolimus-eluting or paclitaxel-eluting stents suggest that a longer duration of clopidogrel than was recommended post-procedurally in DES pivotal trials may be beneficial. Current guidelines recommend that patients receive aspirin indefinitely and 75 mg of clopidogrel daily for at least 12 months, if subjects are not at high risk of bleeding (ref: ACC/AHA/SCAI PCI Practice Guidelines[2,3]).
- It is very important that the patient comply with the post-procedural antiplatelet therapy recommendations. Early discontinuation of prescribed antiplatelet medication could result in a higher risk of thrombosis, MI, or death. Prior to percutaneous coronary intervention (PCI), if the patient is required to undergo a surgical or dental procedure that might require early discontinuation of antiplatelet therapy, the interventionalist and patient should carefully consider whether a DES and its associated recommended antiplatelet therapy is the appropriate PCI treatment of choice. Following PCI, should a surgical or dental procedure be recommended, requiring suspension of antiplatelet therapy, the risks and benefits of the procedure should be weighed against the possible risks associated with early discontinuation of antiplatelet therapy. Patients who require early discontinuation of antiplatelet therapy (e.g., secondary to active bleeding) should be monitored carefully for cardiac events. At the discretion of the patient's treating physicians, the antiplatelet therapy should be restarted as soon as possible.

[2] Smith et al. ACC/AHA/SCAI 2005 Guideline Update for Percutaneous Coronary Intervention. JACC, 2006; 47: e1-121

[3] King III et al. 2007 Focused Update of the ACC/AHA/SCAI 2005 Guideline Update for Percutaneous Coronary Intervention. JACC, 2008; 51:172-209

Pages 10-65 Intentionally Omitted

13.0 OPERATOR'S INSTRUCTIONS

13.1 Inspection Prior to Use

- Carefully inspect the sterile package before opening and check for damage to the sterile barrier. Do not use if the integrity of the sterile package has been compromised.
- Do not use after the "Use by" date.
- Tear open the foil pouch and remove the inner pouch.
  Note: The outside of the inner pouch is NOT sterile. Open the inner pouch and pass or drop the product into the sterile field using an aseptic technique.
- Prior to using the XIENCE PRIME stent system, carefully remove the system from the package and inspect for bends, kinks, and other damage. Verify that the stent does not extend beyond the radiopaque balloon markers. Do not use if any defects are noted. However, **do not manipulate, touch, or handle the stent** with your fingers, which may cause coating damage, contamination, or stent dislodgement from the delivery balloon.

Note: At any time during use of the XIENCE PRIME stent system, if the stainless steel proximal shaft has been bent or kinked, do not continue to use the catheter.

13.2 Materials Required

- Appropriate guiding catheter(s). See Table 1-1: XIENCE PRIME Stent System Product Description
- 2 – 3 syringes (10 – 20 ml)
- 1,000 u/500 ml heparinized normal saline (HepNS)
- 0.014" (0.36 mm) x 175 cm (minimum length) guide wire
- Rotating hemostatic valve with appropriate minimum inner diameter (0.096" [2.44 mm])
- 60% contrast diluted 1:1 with heparinized normal saline
- Inflation device
- Pre-deployment dilatation catheter
- Three-way stopcock
- Torque device
- Guide wire introducer
- Appropriate arterial sheath
- Appropriate anticoagulation and antiplatelet drugs

13.3 Preparation

13.3.1 Packaging Removal

Note: The foil pouch is not a sterile barrier. The inner header bag (pouch) within the foil pouch is the sterile barrier. Only the contents of the inner pouch should be considered sterile. The outside surface of the inner pouch is NOT sterile.

1. Carefully remove the delivery system from its protective tubing for preparation of the delivery system. When using a Rapid Exchange (RX) system, do not bend or kink the hypotube during removal.
2. Remove the product mandrel and protective stent sheath by grasping the catheter just proximal to the stent (at the proximal balloon bond site), and with the other hand, grasp the stent protector and gently remove distally. If unusual resistance is felt during product mandrel and stent sheath removal, do not use this product and replace with another. Follow product returns procedure for the unused device.

13.3.2 Guide Wire Lumen Flush

1. Rapid Exchange (RX) only: Flush the guide wire lumen with HepNS using the flushing tool supplied with the product. Insert the flushing tool into the tip of the catheter and flush until fluid exits the guide wire exit notch.

Note: Avoid manipulation of the stent while flushing the guide wire lumen, as this may disrupt the placement of the stent on the balloon.

13.3.3 Delivery System Preparation

1. Prepare an inflation device/syringe with diluted contrast medium.
2. Attach an inflation device/syringe to the stopcock; attach it to the inflation port of the product. Do not bend the product hypotube, when connecting to the inflation device/syringe.
3. With the tip down, orient the delivery system vertically.
4. Open the stopcock to delivery system; pull negative for 30 seconds; release to neutral for contrast fill.
5. Close the stopcock to the delivery system; purge the inflation device/syringe of all air.
6. Repeat steps 3 through 5 until all air is expelled. If bubbles persist, do not use the product.
7. If a syringe was used, attach a prepared inflation device to stopcock.
8. Open the stopcock to the delivery system.
9. Leave on neutral

Note: While introducing the delivery system into the vessel, do not induce negative pressure on the delivery system. This may cause dislodgement of the stent from the balloon.

Note: If air is seen in the shaft, repeat s*ection 13.3.3 – Operator's Instructions, Delivery System Preparation,* steps 3 through 5, to prevent uneven stent expansion.

13.4 Delivery Procedure

1. Prepare the vascular access site according to standard practice.
2. **Pre-dilate the lesion with a percutaneous transluminal coronary angioplasty (PTCA) catheter of appropriate length and diameter for the vessel/lesion to be treated.** Limit the longitudinal length of pre-dilatation by the PTCA balloon to avoid creating a region of vessel injury that is outside the boundaries of the XIENCE PRIME stent. For long lesions, size the stent to the diameter of the most distal portion of the vessel.
3. For long lesions, size the stent to the diameter of the most distal portion of the vessel.

Note: If choosing between two stent diameters for tight lesions choose the smaller diameter stent and inflate. See section *14.0 – In vitro Compliance Information*

4. Maintain neutral pressure on the inflation device attached to the delivery system. Open the rotating hemostatic valve as wide as possible.
5. Backload the delivery system onto the proximal portion of the guide wire, while maintaining guide wire position across the target lesion.
6. Carefully advance the delivery system into the guiding catheter and over the guide wire to the target lesion. When using a Rapid Exchange (RX) system, be sure to keep the hypotube straight. Ensure guiding catheter stability before advancing the stent system into the coronary artery.

Note: If unusual resistance is felt before the stent exits the guiding catheter, do not force passage. Resistance may indicate a problem and the use of excessive force may result in stent damage or dislodgement. Maintain guide wire placement across the lesion and remove the delivery system and guiding catheter as a single unit.

7. Advance the delivery system over the guide wire to the target lesion under direct fluoroscopic visualization. Utilize the radiopaque balloon markers to position the stent across the lesion. Perform angiography to confirm stent position. If the position of the stent is not optimal, it should be carefully repositioned or removed (see section *5.14 – Precautions, Stent System Removal*). The balloon markers indicate both the stent edges and the balloon shoulders. Expansion of the stent should not be undertaken if the stent is not properly positioned in the target lesion.

Note: If removal of a stent system is required prior to deployment, ensure that the guiding catheter is coaxially positioned relative to the stent delivery system, and cautiously withdraw the stent delivery system into the guiding catheter. Should unusual resistance be felt at any time when withdrawing the stent towards the guiding catheter, the stent delivery system and the guiding catheter should be removed as a single unit. This should be done under direct visualization with fluoroscopy.

8. Tighten the rotating hemostatic valve. The stent is now ready to be deployed.

13.5 Deployment Procedure

CAUTION: Refer to Table 14-1: XIENCE PRIME Stent Compliance, for *in vitro* stent inner diameter, nominal pressure, and RBP.

1. Prior to deployment, reconfirm the correct position of the stent relative to the target lesion using the radiopaque balloon markers.
2. Deploy the stent slowly by pressurizing the delivery system in 2 atm increments, every 5 seconds, until stent is completely expanded. Fully expand the stent by inflating to nominal pressure at a minimum. Accepted practice generally targets an initial deployment pressure that would achieve a stent inner diameter ratio of about 1.1 times the reference vessel diameter (see Table 14-1: XIENCE PRIME Stent Compliance).
3. For long lesions, size the stent to the diameter of the most distal portion of the vessel and expand stent to nominal pressure at minimum. Maintain pressure for 30 seconds. If necessary, the delivery system can be repressurized or further pressurized to assure complete apposition of the stent to the artery wall.
4. Maintain pressure for 30 seconds for full expansion of the stent. Fluoroscopic visualization during stent expansion should be used in order to properly judge the optimum stent diameter as compared to the proximal and distal native coronary artery diameters (reference vessel diameters). Optimal stent expansion and proper apposition requires that the stent be in full contact with the arterial wall.

Note: See section *13.6 – Removal Procedure* for instruction on withdrawal of stent delivery system.

5. If necessary, the delivery system can be repressurized or further pressurized to assure complete apposition of the stent to the artery wall.

Note: Do not exceed the labeled rated burst pressure (RBP) of 18 atm (1824 kPA).

6. Fully cover the entire lesion and balloon treated area (including dissections) with the XIENCE PRIME stent, allowing for adequate stent coverage into healthy tissue proximal and distal to the lesion.
7. Deflate the balloon by pulling negative on the inflation device for 30 seconds. Confirm complete balloon deflation before attempting to move the delivery system. If unusual resistance is felt during stent delivery system withdrawal, pay particular attention to guiding catheter position.

Note: See section *13.6 – Removal Procedure* for instruction on withdrawal of stent delivery system.

8. Confirm stent position and deployment using standard angiographic techniques. For optimal results, the entire stenosed arterial segment should be covered by the stent. Fluoroscopic visualization during stent expansion should be used in order to properly judge the optimum expanded stent diameter as compared to the proximal and distal coronary artery diameter(s). Optimal expansion requires that the stent be in full contact with the artery wall. Stent wall contact should be verified through routine angiography or intravascular ultrasound (IVUS).
9. If the deployed stent size is still inadequate with respect to reference vessel diameter, a larger balloon may be used to further expand the stent. If the initial

angiographic appearance is suboptimal, the stent may be further expanded using a low profile, high pressure, non-compliant balloon dilatation catheter. If this is required, the stented segment should be carefully recrossed with a prolapsed guide wire to avoid disrupting the stent geometry. Deployed stents should not be left underdilated.

CAUTION: Do not dilate the stent beyond the following limits.

Nominal Stent Diameter	Dilatation Limit
2.25 mm and 2.5 mm	**3.25 mm**
2.75 mm and 3.0 mm	**3.75 mm**
3.5 mm and 4.0 mm	**4.5 mm**

10. If more than one XIENCE PRIME stent is needed to cover the lesion and balloon treated area, it is suggested that, to avoid the potential for gap restenosis, the stents be adequately overlapped. To ensure that there are no gaps between stents, the balloon marker bands of the second XIENCE PRIME stent should be positioned inside the deployed stent prior to expansion.
11. Reconfirm stent position and angiographic results. Repeat inflations until optimal stent deployment is achieved.

13.6 Removal Procedure

Withdrawal of the stent delivery catheter from the deployed stent:

1. Deflate the balloon by pulling negative on the inflation device. Larger and longer balloons will take more time (up to 30 seconds) to deflate than smaller and shorter balloons. Confirm balloon deflation under fluoroscopy and wait 10-15 seconds longer.
2. Position inflation device on "negative" or "neutral" pressure.
3. Stabilize guiding catheter position just outside coronary ostium and anchor in place. Maintain guide wire placement across stent segment.
4. Gently remove the stent delivery system with slow and steady pressure.
5. Tighten the rotating hemostatic valve.

If during withdrawal of the stent delivery catheter resistance is encountered, use the following steps to improve balloon rewrap:

- Re-inflate the balloon up to nominal pressure.
- Repeat steps 1 through 5 above

Post stent delivery system withdrawal – Stent deployment confirmation

1. Confirm stent position and deployment using standard angiographic techniques. For optimal results, the entire stenosed arterial segment should be covered by the stent. Fluoroscopic visualization during stent expansion should be used in order to properly judge the optimum expanded stent diameter as compared to the proximal and distal coronary artery diameter(s). **Optimal expansion requires**

that the stent be in full contact with the artery wall. Stent wall contact should be verified through routine angiography or intravascular ultrasound (IVUS).

2. If more than one XIENCE PRIME stent is needed to cover the lesion and balloon treated area, it is suggested that, to avoid the potential for gap restenosis, the stents be adequately overlapped.

3. To ensure that there are no gaps between stents, the balloon marker bands of the second XIENCE PRIME stent should be positioned inside the deployed stent prior to expansion.

4. Reconfirm stent position and angiographic results to assess stented area.Repeat inflations until optimal stent deployment is achieved. If post-dilatation is necessary, ensure that the final stent diameter matches the reference vessel diameter. **Assure that the stent wall is in contact with the artery wall.**

13.7 Post-Deployment Dilatation of Stent Segments

1. All efforts should be taken to assure that the stent is not underdilated.
2. If the deployed stent size is still inadequate with respect to the vessel diameter, or if full contact with the vessel wall is not achieved, a larger balloon may be used to expand the stent further. The stent may be further expanded using a low profile, high pressure, and noncompliant balloon catheter. If this is required, the stented segment should be recrossed carefully with a prolapsed guide wire to avoid dislodging the stent. The balloon should be centered within the stent and should not extend outside of the stented region).

CAUTION: Do not dilate the stent beyond the following limits.

Nominal Stent Diameter	Dilatation Limit
2.25 mm and 2.5 mm	**3.25 mm**
2.75mm and 3.0 mm	**3.75 mm**
3.5 mm and 4.0 mm	**4.5 mm**

14.0 *IN VITRO COMPLIANCE INFORMATION*

Table 14-1: XIENCE PRIME Stent Compliance
Nominal Pressure for Each Diameter Indicated by Bold Font

Pressure		Stent ID (mm) by System Diameter					
atm	kPa	2.25 mm	2.5 mm	2.75 mm	3.0 mm	3.5 mm	4.0 mm
8	811	**2.26**	**2.46**	**2.71**	2.90	3.33	3.81
9	912	2.33	2.53	2.77	2.97	3.41	3.90
10	1013	2.38	2.59	2.84	**3.04**	**3.49**	**3.99**
11	1115	2.44	2.65	2.89	3.10	3.56	4.07
12	1216	2.48	2.70	2.94	3.15	3.63	4.14
13	1317	2.53	2.75	2.99	3.19	3.69	4.21
14	1419	2.56	2.79	3.03	3.24	3.74	4.26
15	1520	2.60	2.83	3.06	3.27	3.78	4.32
16	1621	2.63	2.86	3.10	3.31	3.83	4.37
17	1723	2.67	2.90	3.13	3.34	3.87	4.42
18 (RBP)*	1824	2.70	2.93	3.16	3.37	3.90	4.47
19	1925	2.74	2.97	3.20	3.41	3.94	4.52
20	2027	2.77	3.00	3.23	3.44	3.98	4.57
21	2128	2.81	3.04	3.26	3.47	4.02	4.62
22	2229	2.85	3.08	3.30	3.50	4.05	4.67

Note: These nominal data are based on *in vitro* testing at 37°C and do not take into account lesion resistance.
Ensure full deployment of the stent (see *section 13.5 – Operator's Instructions, Deployment Procedure*) and confirm the stent sizing angiographically.
*Do not exceed the rated burst pressure (RBP).

15.0 REUSE PRECAUTION STATEMENT

Do not use if sterile barrier is damaged. If damage is found call your Abbott Vascular, Cardiac Therapies representative.

For single patient use only. Do not reuse, reprocess, or resterilize.

16.0 PATENTS AND TRADEMARKS

This product and /or its use are covered by one or more of the following United States Patents: 5,514,154; 5,569,295; 5,636,641; 5,649,952; 5,665,772; 5,759,192; 5,780,807; 5,868,706; 6,131,266; 6,179,810; 6,309,412; 6,369,355; 6,384,046; 6,419,693; 6,440,990; 6,482,166; 6,629,991; 6,629,994; 6,656,220; 6,736,843; 6,746,423; 6,827,734; 6,887,219; 6,887,510; 6,890,318; 6,908,479; 6,929,657; 6,939,373; 6,957,152. Other U.S. patents pending. Foreign patents issued and pending.

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Graphical Symbols for Medical Device Labeling

Manufacturer	REF Catalogue number	F French size
Do not reuse	STERILE EO Sterilized using ethylene oxide	Consult instructions for use
Use by	LOT Batch code	Date of manufacture
Guiding catheter	PYROGEN Non-pyrogenic	Contents (numeral represents quantity of units inside)
Inner diameter	MR MR Conditional	

Exhibit E

US005514154A

United States Patent [19]

Lau et al.

[11] Patent Number: 5,514,154

[45] Date of Patent: May 7, 1996

[54] **EXPANDABLE STENTS**

[75] Inventors: **Lilip Lau**, Sunnyvale; **William M. Hartigan**, Fremont; **John J. Frantzen**, Copperopolis, all of Calif.

[73] Assignee: **Advanced Cardiovascular Systems, Inc.**, Santa Clara, Calif.

[21] Appl. No.: **281,790**

[22] Filed: **Jul. 28, 1994**

Related U.S. Application Data

[63] Continuation-in-part of Ser. No. 164,986, Dec. 9, 1993, abandoned, which is a continuation of Ser. No. 783,558, Oct. 28, 1991, abandoned.

[51] **Int. Cl.**[6] **A61M 29/00**

[52] **U.S. Cl.** **606/195**; 606/194; 606/108; 623/13

[58] **Field of Search** 606/191–198, 606/108; 604/93, 96, 97, 280, 282, 283; 623/1, 11, 12

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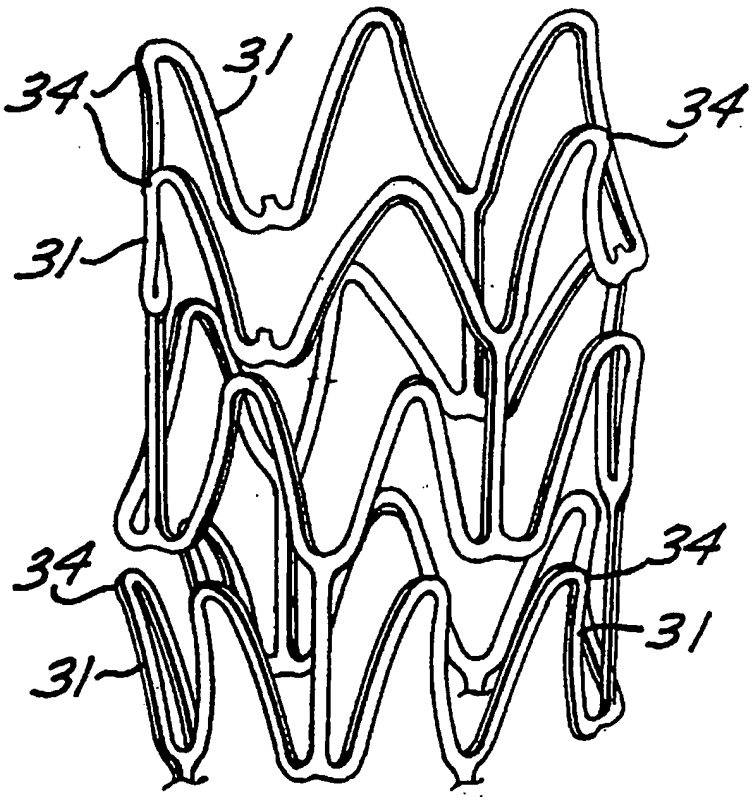
Primary Examiner—Christopher A. Bennett

Attorney, Agent, or Firm—Fulwider Patton Lee & Utecht

[57] **ABSTRACT**

The invention is directed to an expandable stent for implantation in a body lumen, such as an artery, and a method for making it from a single length of tubing. The stent consists of a plurality of radially expandable cylindrical elements generally aligned on a common axis and interconnected by one or more interconnective elements. The individual radially expandable cylindrical elements consist of ribbon-like material disposed in an undulating pattern. Portions of the expanded stent project outwardly into engagement with the vessel wall to more securely attach the stent.

23 Claims, 4 Drawing Sheets



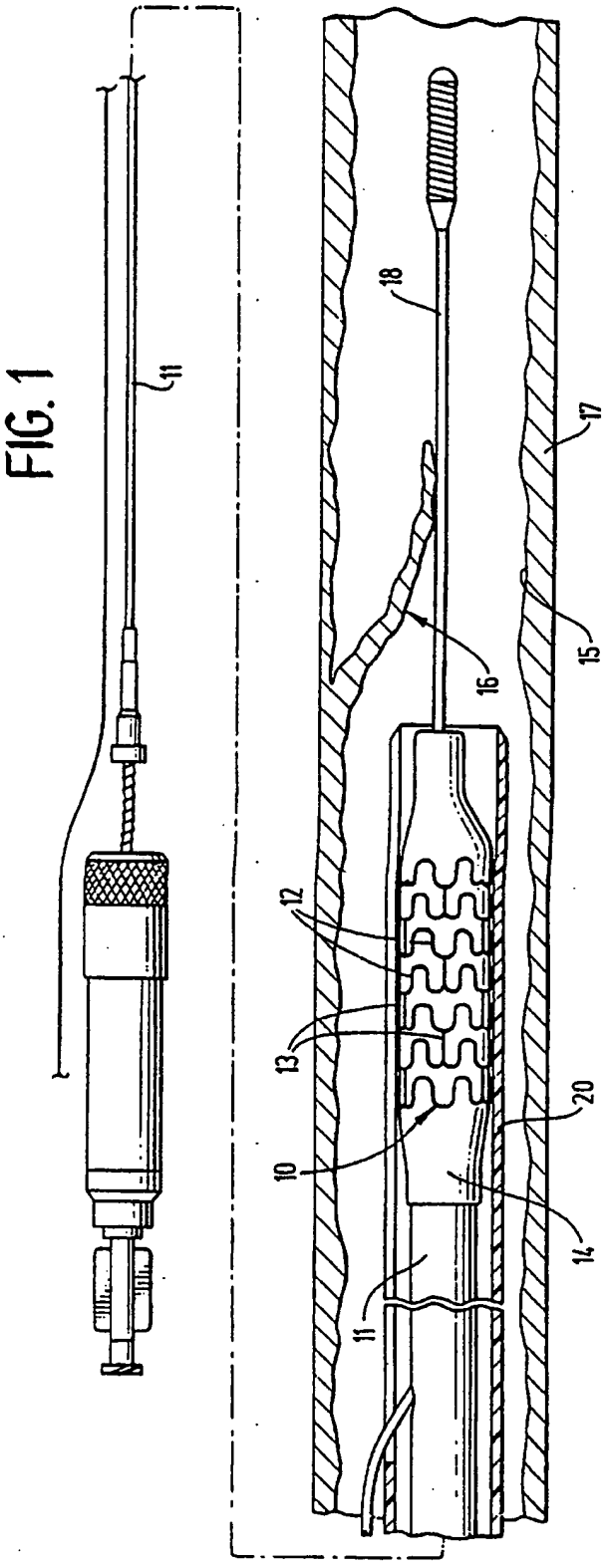


FIG. 1

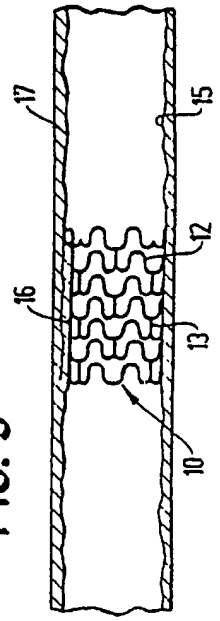


FIG. 3

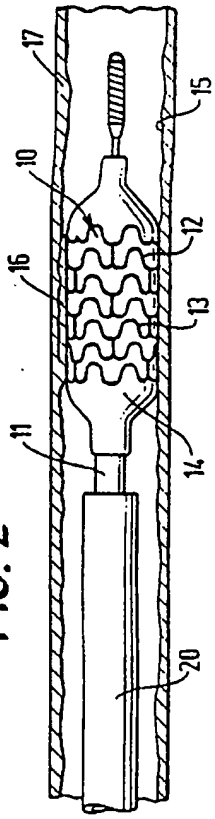


FIG. 2

FIG. 4

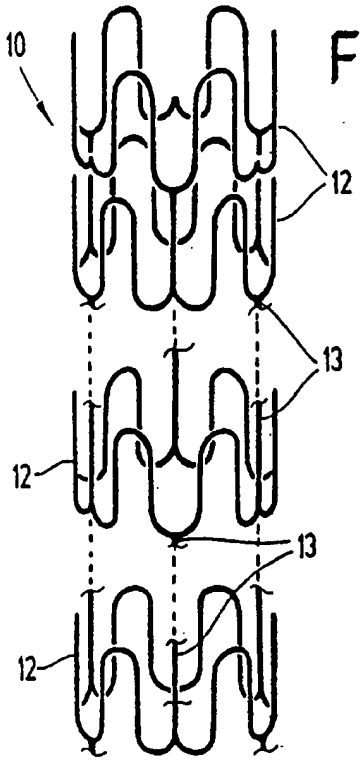


FIG. 6

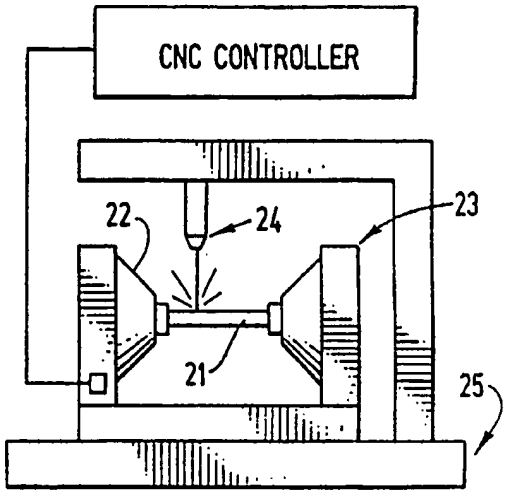


FIG. 5

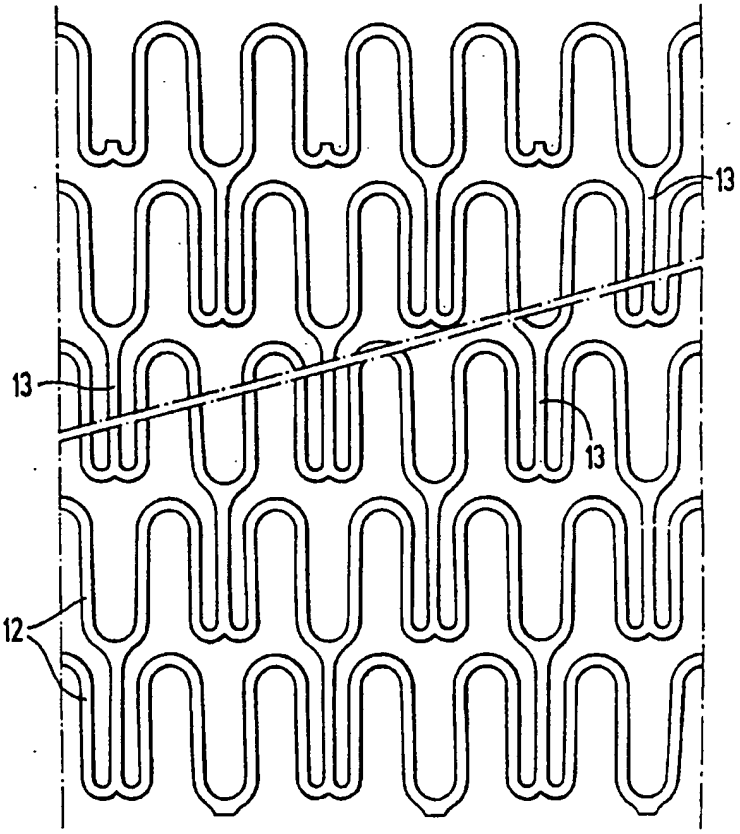


FIG. 7

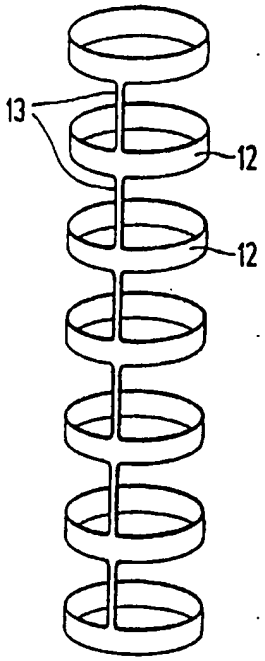


FIG. 8

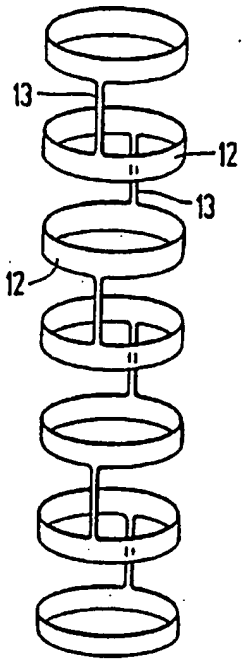


FIG. 9

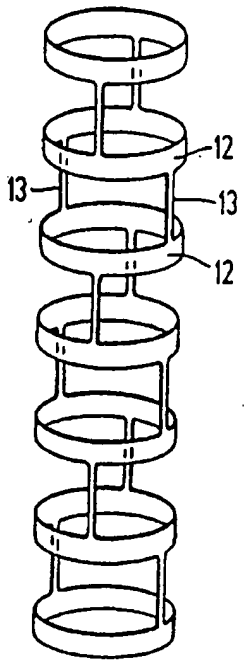


FIG. 10

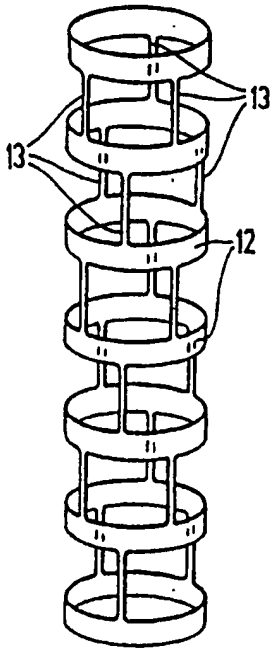
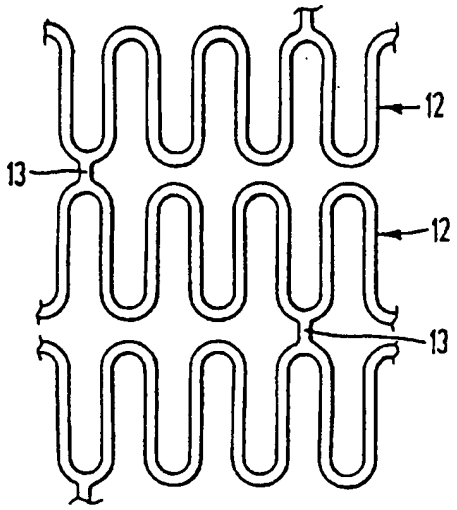


FIG. 11



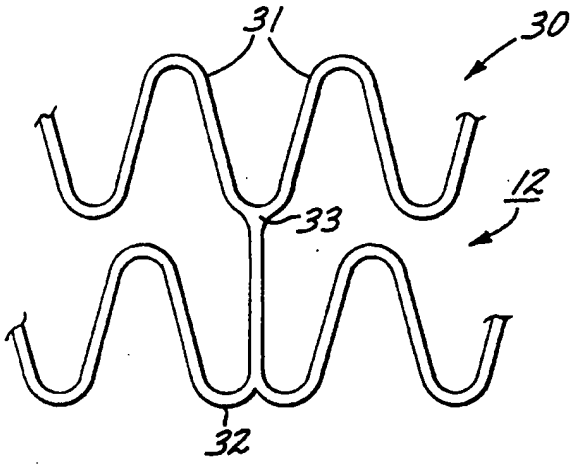


FIG. 12

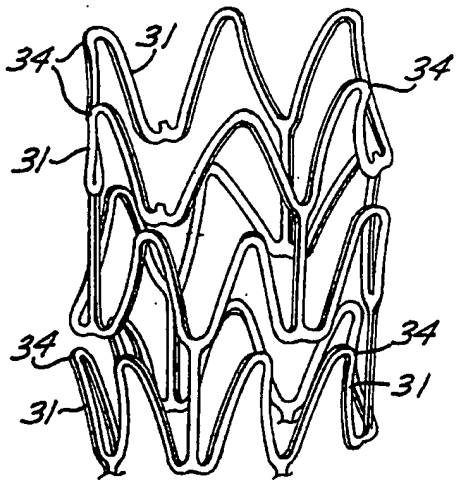


FIG. 13

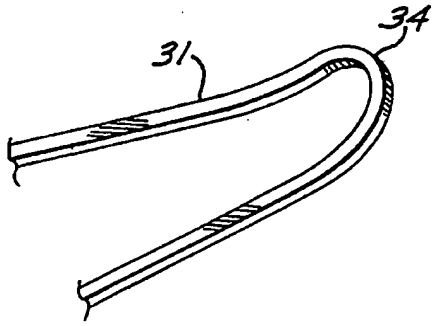


FIG. 14

EXPANDABLE STENTS

RELATED APPLICATIONS

This application is a continuation-in-part of U.S. patent application U.S. Ser. No. 08/164,986 filed Dec. 9, 1993, now abandoned, which is a continuation application of U.S. Ser. No. 07/783,558 filed Oct. 28, 1991, now abandoned.

BACKGROUND OF THE INVENTION

This invention relates to expandable endoprosthesis devices, generally called stents, which are adapted to be implanted into a patient's body lumen, such as blood vessel, to maintain the patency thereof. These devices are very useful in the treatment of atherosclerotic stenosis in blood vessels.

Stents are generally tubular-shaped devices which function to hold open a segment of a blood vessel or other anatomical lumen. They are particularly suitable for use to support and hold back a dissected arterial lining which can occlude the fluid passageway therethrough.

Further details of prior art stents can be found in U.S. Pat. No. 3,868,956 (Alfidi et al.); U.S. Pat. No. 4,512,338 (Balko et al.); U.S. Pat. No. 4,553,545 (Maass et al.); U.S. Pat. No. 4,733,665 (Palmaz); U.S. Pat. No. 4,762,128 (Rosenbluth); U.S. Pat. No. 4,800,882 (Gianturco); U.S. Pat. No. 4,856,516 (Hillstead); and U.S. Pat. No. 4,886,062 (Wiktor), which are hereby incorporated herein in their entirety by reference thereto.

Various means have been described to deliver and implant stents. One method frequently described for delivering a stent to a desired intraluminal location includes mounting the expandable stent on an expandable member, such as a balloon, provided on the distal end of an intravascular catheter, advancing the catheter to the desired location within the patient's body lumen, inflating the balloon on the catheter to expand the stent into a permanent expanded condition and then deflating the balloon and removing the catheter. One of the difficulties encountered using prior stents involved maintaining the radial rigidity needed to hold open a body lumen while at the same time maintaining the longitudinal flexibility of the stent to facilitate its delivery.

What has been needed and heretofore unavailable is a stent which has a high degree of flexibility so that it can be advanced through tortuous passageways and can be readily expanded and yet have the mechanical strength to hold open the body lumen into which it expanded. The present invention satisfies this need.

SUMMARY OF THE INVENTION

The present invention is directed to an expandable stent which is relatively flexible along its longitudinal axis to facilitate delivery through tortuous body lumens, but which is stiff and stable enough radially in an expanded condition to maintain the patency of a body lumen such as an artery when implanted therein.

The stent of the invention generally includes a plurality of radially expandable cylindrical elements which are relatively independent in their ability to expand and to flex relative to one another. The individual radially expandable cylindrical elements of the stent are dimensioned so as to be longitudinally shorter than their own diameters. Interconnecting elements or struts extending between adjacent cylindrical elements provide increased stability and a preferable position to prevent warping of the stent upon the expansion thereof. The resulting stent structure is a series of radially expandable cylindrical elements which are spaced longitudinally close enough so that small dissections in the wall of a body lumen may be pressed back into position against the lumenal wall, but not so close as to compromise the longitudinal flexibilities of the stent. The individual cylindrical elements may rotate slightly relative to adjacent cylindrical elements without significant deformation, cumulatively giving a stent which is flexible along its length and about its longitudinal axis but is still very stiff in the radial direction in order to resist collapse.

The stent embodying features of the invention can be readily delivered to the desired lumenal location by mounting it on an expandable member of a delivery catheter, for example a balloon, and passing the catheter-stent assembly through the body lumen to the implantation site. A variety of means for securing the stent to the expandable member on the catheter for delivery to the desired location are available. It is presently preferred to compress the stent onto the balloon. Other means to secure the stent to the balloon include providing ridges or collars on the inflatable member to restrain lateral movement, or using bioresorbable temporary adhesives.

The presently preferred structure for the expandable cylindrical elements which form the stents of the present invention generally circumferential undulating pattern, e.g. serpentine. The transverse cross-section of the undulating component of the cylindrical element is relatively small and preferably has an apect ratio of about two to one to about 0.5 to one. A one to one aspect ratio has been found particularly suitable. The open reticulated structure of the stent allows for the perfusion of blood over a large portion of the arterial wall which can improve the healing and repair of a damaged arterial lining.

The radial expansion of the expandable cylinder deforms the undulating pattern thereof similar to changes in a waveform which result from decreasing the waveform's amplitude and the frequency. Preferably, the undulating patterns of the individual cylindrical structures are in phase with each other in order to prevent the contraction of the stent along its length when it is expanded. The cylindrical structures of the stent are plastically deformed when expanded (except with NiTi alloys) so that the stent will remain in the expanded condition and, therefore, they must be sufficiently rigid when expanded to prevent the collapse thereof in use. During expansion of the stent, portions of the undulating pattern will tip outwardly resulting in projecting members on the outer surface of the expanded stent. These projecting members tip radially outwardly from the outer surface of the stent and embed in the vessel wall and help secure the expanded stent so that it does not move once it is implanted.

With superelastic NiTi alloys, the expansion occurs when the stress of compression is removed so as to allow the phase transformation from austenite back to martensite and as a result the expansion of the stent.

The elongated elements which interconnect adjacent cylindrical elements should have a transverse cross-section similar to the transverse dimensions of the undulating components of the expandable cylindrical elements. The interconnecting elements may be formed in a unitary structure with the expandable cylindrical elements from the same intermediate product, such as a tubular element, or they may be formed independently and connected by suitable means, such as by welding or by mechanically securing the ends of the interconnecting elements to the ends of the expandable cylindrical elements. Preferably, all of the interconnecting

elements of a stent are joined at either the peaks or the valleys of the undulating structure of the cylindrical elements which for the stent. In this manner there is no shortening of the stent upon expansion.

The number and location of elements interconnecting adjacent cylindrical elements can be varied in order to develop the desired longitudinal flexibility in the stent structure both in the unexpanded as well as the expanded condition. These properties are important to minimize alteration of the natural physiology of the body lumen into which the stent is implanted and to maintain the compliance of the body lumen which is internally supported by the stent. Generally, the greater the longitudinal flexibility of the stent, the easier and the more safely it can be delivered to the implantation site.

In a presently preferred embodiment of the invention the stent is conveniently and easily formed by coating stainless steel tubing with a material resistant to chemical etching, removing portions of the coating to expose portions of underlying tubing which are to be removed to develop the desired stent structure. The exposed portions of the tubing are removed by chemically etching from the tubing exterior leaving the coated portion of the tubing material in the desired pattern of the stent structure. The etching process develops smooth openings in the tubing wall without burrs or other artifacts which are characteristic of mechanical or laser machining processes in the small sized products contemplated. Moreover, a computer controlled laser patterning process to remove the chemical resistive coating makes photolithography technology adaptable to the manufacture of these small products. The forming of a mask in the extremely small sizes needed to make the small stents of the invention would be a most difficult task. A plurality of stents can be formed from one length of tubing by repeating the stent pattern and providing small webs or tabs to interconnect the stents. After the etching process, the stents can be separated by severing the small webs or tabs which connect them.

Other features and advantages of the present invention will become more apparent from the following detailed description of the invention. When taken in conjunction with the accompanying exemplary drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** is an elevational view, partially in section, of a stent embodying features of the invention which is mounted on a delivery catheter and disposed within a damaged artery.

FIG. **2** is an elevational view, partially in section, similar to that shown in FIG. **1** wherein the stent is expanded within a damaged artery, pressing the damaged lining against the arterial wall.

FIG. **3** is an elevational view, partially in section showing the expanded stent within the artery after withdrawal of the delivery catheter.

FIG. **4** is a perspective view of a stent embodying features of the invention in an unexpanded state, with one end of the stent being shown in an exploded view illustrate the details thereof.

FIG. **5** is a plan view of a flattened section of a stent of the invention which illustrates the undulating pattern of the stent shown in FIG. **4**.

FIG. **6** is a schematic representation of equipment for selectively removing coating applied to tubing in the manufacturing of the stents of the present invention.

FIGS. **7** through **10** are perspective views schematically illustrating various configurations of interconnective element placement between the radially expandable cylindrical elements of the stent.

FIG. **11** is a plan view of a flattened section of a stent illustrating an alternate undulating pattern in the expandable cylindrical elements of the stent which are out of phase.

FIG. **12** is an enlarged partial view of the stent of FIG. **5** with the various members slightly expanded.

FIG. **13** is a perspective view of the stent of FIG. **4** after it is fully expanded depicting some members projecting radially outwardly.

FIG. **14** is an enlarged, partial perspective view of one U-shaped member with its tip projecting outwardly after expansion.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

FIG. **1** illustrates a stent **10** incorporating features of the invention which is mounted onto a delivery catheter **11**. The stent generally comprises a plurality of radially expandable cylindrical elements **12** disposed generally coaxially and interconnected by elements **13** disposed between adjacent cylindrical elements. The delivery catheter **11** has an expandable portion or balloon **14** for expanding of the stent **10** within an artery **15**. The artery **15**, as shown in FIG. **1**, has a dissected lining **16** which has occluded a portion of the arterial passageway.

The delivery catheter **11** onto which the stent **10** is mounted, is essentially the same as a conventional balloon dilatation catheter for angioplasty procedures. The balloon **14** may be formed of suitable materials such as polyethylene, polyethylene terephthalate, polyvinyl chloride, nylon and ionomers such as Surlyn® manufactured by the Polymer Products Division of the Du Pont Company. Other polymers may also be used. In order for the stent **10** to remain in place on the balloon **14** during delivery to the site of the damage within the artery **15**, the stent **10** is compressed onto the balloon. A retractable protective delivery sleeve **20** as described in co-pending applications Ser. No. 07/647,464 filed on Apr. 25, 1990 and entitled STENT DELIVERY SYSTEM may be provided to further ensure that the stent stays in place on the expandable portion of the delivery catheter **11** and prevent abrasion of the body lumen by the open surface of the stent **20** during delivery to the desired arterial location. Other means for securing the stent **10** onto the balloon **14** may also be used, such as providing collars or ridges on the ends of the working portion, i.e. the cylindrical portion, of the balloon.

Each radially expandable cylindrical element **12** of the stent **10** may be independently expanded. Therefore, the balloon **14** may be provided with an inflated shape other than cylindrical, e.g. tapered, to facilitate implantation of the stent **10** in a variety of body lumen shapes.

In a preferred embodiment, the delivery of the stent **10** is accomplished in the following manner. The stent **10** is first mounted onto the inflatable balloon. **14** on the distal extremity of the delivery catheter **11**. The balloon **14** is slightly inflated to secure the stent **10** onto the exterior of the balloon. The catheter-stent assembly is introduced within the patient's vasculature in a conventional Seldinger technique through a guiding catheter (not shown). A guidewire **18** is disposed across the damaged arterial section with the detached or dissected lining **16** and then the catheter-stent assembly is advanced over a guidewire **18** within the artery

15 until the stent 10 is directly under the detached lining 16. The balloon 14 of the catheter is expanded, expanding the stent 10 against the artery 15, which is illustrated in FIG. 2. While not shown in the drawing, the artery 15 is preferably expanded slightly by the expansion of the stent 10 to seat or otherwise fix the stent 10 to prevent movement. In some circumstances during the treatment of stenotic portions of an artery, the artery may have to be expanded considerably in order to facilitate passage of blood or other fluid therethrough.

The stent 10 serves to hold open the artery 15 after the catheter 11 is withdrawn, as illustrated by FIG. 3. Due to the formation of the stent 10 from elongated tubular member, the undulating component of the cylindrical elements of the stent 10 is relatively flat in transverse cross-section, so that when the stent is expanded, the cylindrical elements are pressed into the wall of the artery 15 and as a result do not interfere with the blood flow through the artery 15. The cylindrical elements 12 of stent 10 which are pressed into the wall of the artery 15 will eventually be covered with endothelial cell growth which further minimizes blood flow interference. The undulating portion of the cylindrical sections 12 provide good tacking characteristics to prevent stent movement within the artery. Furthermore, the closely spaced cylindrical elements 12 at regular intervals provide uniform support for the wall of the artery 15, and consequently are well adapted to tack up and hold in place small flaps or dissections in the wall of the artery 15 as illustrated in FIGS. 2 and 3.

FIG. 4 is an enlarged perspective view of the stent 10 shown in FIG. 1 with one end of the stent shown in an exploded view to illustrate in greater detail the placement of interconnecting elements 13 between adjacent radially expandable cylindrical elements 12. Each pair of the interconnecting elements 13 on one side of a cylindrical element 12 are preferably placed to achieve maximum flexibility for a stent. In the embodiment shown in FIG. 4 the stent 10 has three interconnecting elements 13 between adjacent radially expandable cylindrical elements 12 which are 120 degrees apart. Each pair of interconnecting elements 13 on one side of a cylindrical element 12 are offset radially 60 degrees from the pair on the other side of the cylindrical element. The alternation of the interconnecting elements results in a stent which is longitudinally flexible in essentially all directions. Various configurations for the placement of interconnecting elements are possible, and several examples are illustrated schematically in FIGS. 7–10. However, as previously mentioned, all of the interconnecting elements of an individual stent should be secured to either the peaks or valleys of the undulating structural elements in order to prevent shortening of the stent during the expansion thereof.

FIG. 10 illustrates a stent of the present invention wherein three interconnecting elements 12 are disposed between radially expandable cylindrical elements 11. The interconnecting elements 12 are distributed radially around the circumference of the stent at a 120-degree spacing. Disposing four or more interconnecting elements 13 between adjacent cylindrical elements 12 will generally give rise to the same considerations discussed above for two and three interconnecting elements.

The properties of the stent 10 may also be varied by alteration of the undulating pattern of the cylindrical elements 13. FIG. 11 illustrates an alternative stent structure in which the cylindrical elements are in serpentine patterns but out of phase with adjacent cylindrical elements. The particular pattern and how many undulations per unit of length around the circumference of the cylindrical element 13, or the amplitude of the undulations, are chosen to fill particular mechanical requirements for the stent such as radial stiffness.

The number of undulations may also be varied to accommodate placement of interconnecting elements 13, e.g. at the peaks of the undulations or along the sides of the undulations as shown in FIGS. 5 and 11.

In keeping with the invention, and with reference to FIGS. 4 and 12–14, cylindrical elements 12 are in the form of a serpentine pattern 30. As previously mentioned, each cylindrical element 12 is connected by interconnecting elements 13. Serpentine pattern 30 is made up of a plurality of U-shaped members 31, W-shaped members 32, and Y-shaped members 33, each having a different radius so that expansion forces are more evenly distributed over the various members.

As depicted in FIGS. 13 and 14, after cylindrical elements 12 have been radially expanded, outwardly projecting edges 34 are formed. That is, during radial expansion U-shaped members 31 will tip outwardly thereby forming outwardly projecting edges. These outwardly projecting edges provide for a roughened outer wall surface of stent 10 and assist in implanting the stent in the vascular wall by embedding into the vascular wall. In other words, outwardly projecting edges embed into the vascular wall, for example artery 15, as depicted in FIG. 3. Depending upon the dimensions of stent 10 and the thickness of the various members making up the serpentine pattern 30, any of the U-shaped members 31, W-shaped members 32, and Y-shaped members 33 can tip radially outwardly to form a projecting edge 34. It is most likely and preferred that U-shaped members 31 tip outwardly since they do not join with any connecting member 13 to prevent them from expanding outwardly.

The stent 10 of the present invention can be made in many ways. However, the preferred method of making the stent is to coat a thin-walled tubular member, such as stainless steel tubing, with a material which is resistive to chemical etchants, remove portions of the coating to expose underlying tubing which is to be removed but to leave coated portions of the tubing in the desired pattern for the stent so that subsequent etching will remove the exposed portions of the metallic tubing, but will leave relatively untouched the portions of the metallic tubing which are to form the stent. The coated portion of the metallic tube is in the desired shape for the stent. An etching process avoids the necessity of removing burrs or slag inherent in conventional or laser machining process. It is preferred to remove the etchant-resistive material by means of a machine-controlled laser as illustrated schematically in FIG. 6.

A coating is applied to a length of tubing which, when cured, is resistive to chemical etchants. "Blue Photoresist" made by the Shipley Company in San Jose, Calif., is an example of suitable commercially available photolithographic coatings. The coating is preferably applied by electrophoretic deposition.

To ensure that the surface finish is reasonably uniform, one of the electrodes used for the electrochemical polishing is a doughnut-shaped electrode which is placed about the central portion of the tubular member.

The tubing may be made of suitable biocompatible material such as stainless steel, titanium, tantalum, superelastic NiTi alloys and even high strength thermoplastic polymers. The stent diameter is very small, so the tubing from which it is made must necessarily also have a small diameter. Typically the stent has an outer diameter on the order of about 0.06 inch in the unexpanded condition, the same outer

diameter of the tubing from which it is made, and can be expanded to an outer diameter of 0.1 inch or more. The wall thickness of the tubing is about 0.003 inch. In the instance when the stent was plastic, it would have to be heated within the arterial site where the stent is expanded to facilitate the expansion of the stent. Once expanded, it would then be cooled to retain its expanded state. The stent may be conveniently heated by heating the fluid within the balloon or the balloon directly by a suitable system such as disclosed in a co-pending application Ser. No. 07/521,337, filed Jan. 26, 1990 entitled DILATATION CATHETER ASSEMBLY WITH HEATED BALLOON which is incorporated herein in its entirety by reference. The stent may also be made of materials such as superelastic NiTi alloys such as described in co-pending application Ser. No. 07/629,381, filed Dec. 18, 1990, entitled SUPERELASTIC GUIDING MEMBER which is incorporated herein in its entirety by reference. In this case the stent would be formed full size but deformed (e.g. compressed) into a smaller diameter onto the balloon of the delivery catheter to facilitate transfer to a desired intraluminal site. The stress induced by the deformation transforms the stent from a martensite phase to an austenite phase and upon release of the force, when the stent reaches the desired intraluminal location, allows the stent to expand due to the transformation back to the martensite phase.

Referring to FIG. **6**, the coated tubing **21** is put in a rotatable collet fixture **22** of a machine controlled apparatus **23** for positioning the tubing **21** relative to a laser **24**. According to machine-encoded instructions, the tubing **21** is rotated and moved longitudinally relative to the laser **24** which is also machine controlled. The laser selectively removes the etchant-resistive coating on the tubing by ablation and a pattern is formed such that the surface of the tube that is to be removed by a subsequent chemical etching process is exposed. The surface of the tube is therefore left coated in the discrete pattern of the finished stent.

A presently preferred system for removing the coating on the tubing includes the use of an 80-watt CO_2 laser, such as a Coherent Model 44, in pulse mode (0.3 mS pulse length); 48 mA key current and 48 W key power with 0.75 W average power, at 100 Hz; Anorad FR=20; 12.5 Torr; with no assist gas. Low pressure air is directed through the fine focus head to ensure that no vapor contacts the lens. The assist gas jet assembly on the laser unit may be removed to allow a closer proximity of the fine focus head and the collet fixture. Optimum focus is set at the surface of the tubing. Cured photo-resist coating readily absorbs the energy of the CO_2 wavelength, so that it can be readily removed by the laser. A coated 4-inch length of 0.06 inch stainless steel tubing is preferred and four stents can be patterned on the length of tubing. Three tabs or webs between stents provide good handling characteristics for the tubing after the etching process.

The process of patterning the resistive coating on the stent is automated except for loading and unloading the length of tubing. Referring again to FIG. **6** it may be done, for example, using a CNC-opposing collet fixture **22** for axial rotation of the length of tubing, in conjunction with a CNC X/Y table **25** to move the length of tubing axially relative to a machine-controlled laser as described. The entire space between collets can be patterned using the CO_2 laser set-up of the foregoing example. The program for control of the apparatus is dependent on the particular configuration used and the pattern to be ablated in the coating, but is otherwise conventional.

This process makes possible the application of present photolithography technology in manufacturing the stents. While there is presently no practical way to mask and expose a tubular photo-resist coated part of the small size required for making intravascular stents, the foregoing steps eliminate the need for conventional masking techniques.

After the coating is thus selectively ablated, the tubing is removed from the collet fixture **22**. Next, wax such at ThermoCote N-4 is heated to preferably just above its melting point, and inserted into the tubing under vacuum or pressure. After the wax has solidified upon cooling, it is reheated below its melting point to allow softening, and a smaller diameter stainless steel shaft is inserted into the softened wax to provide support. The tubing is then etched chemically in a conventional manner. After cutting the tabs connecting the stents any surface roughness or debris from the tabs is removed. The stents are preferably electrochemically polished in an acidic aqueous solution such as a solution of ELECTRO-GLO #300, sold by the ELECTRO-GLO CO., Inc. in Chicago, Ill., which is a mixture of sulfuric acid, carboxylic acids, phosphates, corrosion inhibitors and a biodegradable surface active agent. The bath temperature is maintained at about 110–135 degrees F. and the current density is about 0.4 to about 1.5 amps per in.^{2} Cathode to anode area should be at least about two to one. The stents may be further treated if desired, for example by applying a biocompatible coating.

While the invention has been illustrated and described herein in terms of its use as an intravascular stent, it will be apparent to those skilled in the art that the stent can be used in other instances such as to expand prostatic urethras in cases of prostate hyperplasia. Other modifications and improvements may be made without departing from the scope of the invention.

Other modifications and improvements can be made to the invention without departing from the scope thereof.

What is claimed is:

1. A longitudinally flexible stent for implanting in a body lumen, comprising:

a plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected so as to be generally aligned on a common longitudinal axis;

a plurality of connecting elements for interconnecting said cylindrical elements, said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other; and

an outer wall surface on said cylindrical elements, said outer wall surface being smooth prior to expansion of said stent and forming a plurality of outwardly projecting edges which form as said stent is expanded radially outwardly from a first diameter to a second, enlarged diameter.

2. The stent of claim **1**, wherein said outer wall surface is substantially smooth when said stent in said first diameter configuration and said outwardly projecting edges form only as said stent is expanded radially outwardly from said first diameter to said second, enlarged diameter.

3. The stent of claim **1**, wherein said plurality of outwardly projecting edges extend radially outwardly from said outer wall surface and embed in the vascular wall of the body lumen in order to more firmly attach said stent to the vascular wall.

4. The stent of claim **1**, wherein said plurality of cylindrical elements include a plurality of peaks and valleys having a serpentine pattern.

5. The stent of claim **4**, wherein said plurality of peaks and valleys include a plurality of U-shaped members, a plurality

of Y-shaped members, and a plurality of W-shaped members, whereby a portion of said Y-shaped members forms said plurality of said connecting elements.

6. The stent of claim 5, wherein at least some of said plurality of said U-shaped members tip radially outwardly to form said outwardly projecting edges upon radial expansion of said stent.

7. The stent of claim 5, wherein at least some of said plurality of U-shaped, W-shaped, and Y-shaped members tip radially outwardly to form said outwardly projecting edges upon radial expansion of said stent.

8. The stent of claim 1, wherein said cylindrical elements are capable of retaining their expanded condition upon the expansion thereof.

9. The stent of claim 1, wherein said stent is formed of a biocompatible material selected from the group of materials consisting of stainless steel, tantalum, NiTi alloys, and thermoplastic polymers.

10. The stent of claim 1, wherein said stent is formed from a single piece of tubing.

11. The stent of claim 1, wherein said stent is coated with a biocompatible coating.

12. A longitudinally flexible stent, comprising:

a plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected so as to be concentrically aligned on a common longitudinal axis; and

a plurality of generally parallel connecting elements for interconnecting said cylindrical elements, said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other, so that said stent, when expanded radially outwardly, retains its overall length without appreciable shortening.

13. The stent of claim 12, wherein said cylindrical elements are capable of retaining their expanded condition upon the expansion thereof.

14. The stent of claim 12, wherein said radially expandable cylindrical elements in an expanded condition have a length less than the diameter thereof.

15. The stent of claim 14, wherein said stent is formed of a biocompatible material selected from the group consisting of stainless steel, tantalum, super-elastic NiTi alloys, and thermoplastic polymers.

16. The stent of claim 12, wherein said connecting elements between adjacent cylindrical elements are in axial alignment.

17. The stent of claim 12, wherein said connecting elements between adjacent cylindrical elements are circumferentially displaced with respect to said longitudinal axis.

18. The stent of claim 17, wherein the circumferential displacement of said connecting elements between adjacent cylindrical elements is uniform.

19. The stent of claim 12, wherein there are up to four of said connecting elements disposed between adjacent radially expandable cylindrical elements.

20. The stent of claim 12, wherein said radially expandable cylindrical elements and said connecting elements are made of the same material.

21. The stent of claim 12, wherein said stent is formed from a single piece of tubing.

22. The stent of claim 12, wherein the stent is coated with a biocompatible coating.

23. A longitudinally flexible stent for implanting in a body lumen, comprising:

a plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected so as to be generally aligned on a common longitudinal axis;

a plurality of connecting elements for interconnecting said cylindrical elements, said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other;

an outer wall surface on said cylindrical elements, said outer wall surface having a plurality of outwardly projecting edges which form as said stent is expanded radially outwardly from a first diameter to a second, enlarged diameter, whereby said stent does not substantially shorten upon expansion from said first diameter to said second, larger diameter.

* * * * *

Exhibit F

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Patent Maintenance Fees		12/19/2011 03:44 AM EST	
Patent Number:	5514154	Application Number:	08281790
Issue Date:	05/07/1996	Filing Date:	07/28/1994
Window Opens:		Surcharge Date:	
Window Closes:		Payment Year:	
Entity Status:	LARGE		
Customer Number:	204		
Address:	COMPUTER PACKAGES, INC. 414 HUNGERFORD DRIVE ROCKVILLE MD 20850		
Phone Number:	(301) 424-8890		

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Patent Maintenance Fees		12/19/2011 03:44 AM EST	
Patent Number:	5514154	**Application Number:**	08281790
Issue Date:	05/07/1996	**Filing Date:**	07/28/1994
Window Opens:		**Surcharge Date:**	
Window Closes:		**Payment Year:**	
Entity Status:	LARGE		
Customer Number:	204		
Address:	COMPUTER PACKAGES, INC. 414 HUNGERFORD DRIVE ROCKVILLE MD 20850		
Phone Number:	(301) 424-8890		
Currently there are no fees due.			

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Exhibit G

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 5,514,154
DATED : May 7, 1996
INVENTOR(S) : Lilip Lau, William M. Hartigan, John J. Frantzen

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 3, Line 3, Change "for", To read --form--.

Column 3, Line 41, Change "invention. When", To read --invention, when--.

Column 4, Line 46, Change "20", To read --10--.

Column 5, Line 53 and Line 55, Change "12", To read --13--.

Column 5, Line 54, Change "11", To read --12--.

Column 5, Line 63 and Line 67, Change "13", To read --12--.

Column 8, Line 33, Remove entire paragraph that begins with "Other".

Signed and Sealed this

Twenty-fourth Day of March, 1998

Attest:

Attesting Officer

BRUCE LEHMAN

Commissioner of Patents and Trademarks

Exhibit H

US005514154C1

(12) EX PARTE REEXAMINATION CERTIFICATE (7558th)

United States Patent

Lau et al.

(10) Number: US 5,514,154 C1

(45) Certificate Issued: Jun. 15, 2010

(54) EXPANDABLE STENTS

(75) Inventors: **Lilip Lau**, Sunnyvale, CA (US); **William M. Hartigan**, Fremont, CA (US); **John J. Frantzen**, Copperopolis, CA (US)

(73) Assignee: **Advanced Cardiovascular Systems, Inc.**, Santa Clara, CA (US)

Reexamination Request:
No. 90/007,878, Jan. 17, 2006
No. 90/008,865, Oct. 4, 2007
No. 90/009,309, Oct. 24, 2008

Reexamination Certificate for:

Patent No.:	**5,514,154**
Issued:	**May 7, 1996**
Appl. No.:	**08/281,790**
Filed:	**Jul. 28, 1994**

Certificate of Correction issued Mar. 24, 1998.

Related U.S. Application Data

(63) Continuation-in-part of application No. 08/164,986, filed on Dec. 9, 1993, now abandoned, which is a continuation of application No. 07/783,558, filed on Oct. 28, 1991, now abandoned.

(51) **Int. Cl.**

C23F 1/02	(2006.01)
A61F 2/06	(2006.01)
A61F 2/00	(2006.01)

(52) **U.S. Cl.** **623/1.15**; 606/108; 606/194

(58) **Field of Classification Search** 623/1.15; 606/108, 194

See application file for complete search history.

(56) **References Cited**

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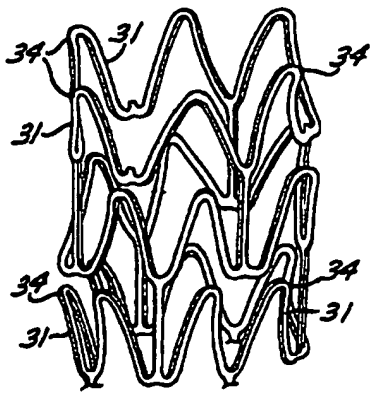
(Continued)

Primary Examiner—Sara S Clarke

(57) **ABSTRACT**

The invention is directed to an expandable stent for implantation in a body lumen, such as an artery, and a method for making it from a single length of tubing. The stent consists of a plurality of radially expandable cylindrical elements generally aligned on a common axis and interconnected by one or more interconnective elements. The individual radially expandable cylindrical elements consist of ribbon-like material disposed in an undulating pattern. Portions of the expanded stent project outwardly into engagement with the vessel wall to more securely attach the stent.



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EX PARTE REEXAMINATION CERTIFICATE ISSUED UNDER 35 U.S.C. 307

THE PATENT IS HEREBY AMENDED AS INDICATED BELOW.

Matter enclosed in heavy brackets [ ] appeared in the patent, but has been deleted and is no longer a part of the patent; matter printed in italics indicates additions made to the patent.

AS A RESULT OF REEXAMINATION, IT HAS BEEN DETERMINED THAT:

The patentability of claim **23** is confirmed.

Claims **1** and **12** are determined to be patentable as amended.

Claims **2-11** and **13-22**, dependent on an amended claim, are determined to be patentable.

1. A longitudinally flexible stent for implanting in a body lumen, comprising:

plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected so as to be generally aligned on a common longitudinal axis;

wherein each of the cylindrical elements is not a stent;

a plurality of connecting elements for interconnecting said cylindrical elements, said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other; **[**and**]**

an outer wall surface on said cylindrical elements, said outer wall surface being smooth prior to expansion of said stent and forming a plurality of outwardly projecting edges which form as said stent is expanded radially outwardly from a first diameter to a second, enlarged diameter; *and*

wherein no portion of the stent overlaps with any other portion of the stent so that there is no double thickness portion.

12. A longitudinally flexible stent, comprising:

a plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected so as to be concentrically aligned on a common longitudinal axis; **[**and**]**

wherein each of the cylindrical elements is not a stent;

a plurality of generally parallel connecting elements for interconnecting said cylindrical elements, said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other, so that said stent, when expanded radially outwardly, retains its overall length without appreciable shortening; *and*

wherein no portion of the stent overlaps with any other portion of the stent so that there is no double thickness portion.

* * * * *

Exhibit I

XIENCE PRIME Everolimus Eluting Coronary Stent System Regulatory Summary				
Type	Description	FDA Contact	Dated	Originator
IDE- G090068	Original IDE Submission	Document Mail Center	4/24/2009	ABT
IDE- G090068	FDA Receipt of Original IDE Submission	DMC Personnel	4/27/2009	FDA
IDE- G090068	FDA IDE Conditional Approval Letter	Bram Zuckerman, MD	5/27/2009	FDA
IDE- G090068	S001: 45-Day Response to FDA Letter	Document Mail Center	6/30/2009	ABT
IDE- G090068	FDA Receipt of S001	DMC Personnel	7/2/2009	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S001	Bram Zuckerman, MD	7/31/2009	FDA
IDE- G090068	S002: Shelf Life Extension	Document Mail Center	8/14/2009	ABT
IDE- G090068	FDA Receipt of S002	DMC Personnel	8/17/2009	FDA
IDE- G090068	S003: 45-Day Response to S001	Document Mail Center	9/11/2009	ABT
IDE- G090068	FDA Receipt of S003	DMC Personnel	9/15/2009	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S002	Bram Zuckerman, MD	9/16/2009	FDA
IDE- G090068	S004: Resubmission of Shelf Life Extension	Document Mail Center	10/9/2009	ABT
IDE- G090068	FDA IDE Letter: Deficiencies to S003	Bram Zuckerman, MD	10/15/2009	FDA
IDE- G090068	FDA Receipt of S004	DMC Personnel	10/13/2009	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S004	Bram Zuckerman, MD	11/12/2009	FDA
IDE- G090068	S005: Request for Extension, Request for Clarification, and 6 month Investigator List	Document Mail Center	11/13/2009	ABT
IDE- G090068	FDA Receipt of S005	DMC Personnel	11/16/2009	FDA
IDE- G090068	S006: Manufacturing Changes	Document Mail Center	12/31/2009	ABT
IDE- G090068	FDA Receipt of S006	DMC Personnel	1/4/2010	FDA
IDE- G090068	S007: Response to S001, S003, and Informed Consent Violation	Document Mail Center	1/18/2010	ABT
IDE- G090068	FDA Receipt of S007	DMC Personnel	1/19/2010	FDA
IDE- G090068	S008: Current Investigator List	Document Mail Center	2/1/2010	ABT
IDE- G090068	FDA Receipt of S008	DMC Personnel	2/2/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S006	Bram Zuckerman, MD	2/2/2010	FDA
IDE- G090068	S009: Re-Label XIENCE PRIME OUS product proposal	Document Mail Center	2/10/2010	ABT
IDE- G090068	FDA Receipt of S009	DMC Personnel	2/10/2010	FDA
IDE- G090068	S010: Response to S006	Document Mail Center	2/12/2010	ABT
IDE- G090068	FDA Receipt of S010	DMC Personnel	2/18/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S007	Bram Zuckerman, MD	2/18/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S009	Bram Zuckerman, MD	2/19/2010	FDA
IDE- G090068	S011: SAE- Death Report	Document Mail Center	3/5/2010	ABT
IDE- G090068	FDA Receipt of S011	DMC Personnel	3/8/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S010	Bram Zuckerman, MD	3/18/2010	FDA
IDE- G090068	S012: Response to S003, S006, and S007	Document Mail Center	3/30/2010	ABT
IDE- G090068	FDA Receipt of S012	DMC Personnel	4/1/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S012	Bram Zuckerman, MD	4/29/2010	FDA
IDE- G090068	S013: SAE- Death Report	Document Mail Center	5/10/2010	ABT
IDE- G090068	FDA Receipt of S013	DMC Personnel	5/11/2010	FDA
IDE- G090068	S014: Annual Report	Document Mail Center	5/26/2010	ABT
IDE- G090068	FDA Receipt of S014	DMC Personnel	5/27/2010	FDA
IDE- G090068	S015: Responses to S010 and additional questions on SPIRIT PRIME Clinical Trial	Document Mail Center	6/3/2010	ABT
IDE- G090068	FDA Receipt of S015	DMC Personnel	6/4/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S014	Bram Zuckerman, MD	6/24/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S015	Bram Zuckerman, MD	7/2/2010	FDA
Module- M100015	PMA Modular Shell	Document Mail Center	7/9/2010	ABT
Module- M100015	FDA Receipt of Modular Shell	DMC Personnel	7/12/2010	FDA
IDE- G090068	S016: SAE- Death Report	Document Mail Center	7/29/2010	ABT
IDE- G090068	FDA Receipt of S016	DMC Personnel	7/30/2010	FDA
Module- M100015	A001: Amended PMA Modular Shell	Document Mail Center	8/4/2010	ABT
Module- M100015	FDA Receipt of A001	DMC Personnel	8/5/2010	FDA
IDE- G090068	S017: Response to S014 and S015	Document Mail Center	8/6/2010	ABT
IDE- G090068	FDA Receipt of S017	DMC Personnel	8/9/2010	FDA
Module- M100015	FDA Module Letter- Approval of Modular Shell	Bram Zuckerman, MD	9/1/2010	FDA
IDE- G090068	FDA IDE Letter: Deficiencies to S017	Bram Zuckerman, MD	9/7/2010	FDA

XIENCE PRIME Everolimus Eluting Coronary Stent System Regulatory Summary				
Type	Description	FDA Contact	Dated	Originator
IDE- G090068	S018: Response to S017	Document Mail Center	10/20/2010	FDA
IDE- G090068	FDA Receipt of S018	DMC Personnel	10/21/2010	FDA
Module- M100015	M001: PMA Module 1 Submission- Biocompatibility and In Animal Studies	Document Mail Center	10/28/2010	FDA
Module- M100015	FDA Receipt of M001	DMC Personnel	11/1/2010	FDA
IDE- G090068	FDA IDE Letter: Approval for S018	Bram Zuckerman, MD	10/29/2010	FDA
IDE- G090068	S019: Safety Reporting Proposal	Document Mail Center	11/8/2010	ABT
IDE- G090068	FDA Receipt of S019	DMC Personnel	11/10/2010	FDA
IDE- G090068	S010: Informed Consent Violation	Document Mail Center	11/12/2010	ABT
IDE- G090068	FDA Receipt of S020	DMC Personnel	11/15/2010	FDA
IDE- G090068	S021: Current Investigator List	Document Mail Center	11/22/2010	ABT
IDE- G090068	FDA Receipt of S021	DMC Personnel	11/23/2010	FDA
IDE- G090068	FDA IDE Letter: Approval for S019	Bram Zuckerman, MD	12/10/2010	FDA
IDE- G090068	FDA IDE Letter: Request for Additional Information on S020	Bram Zuckerman, MD	12/15/2010	FDA
IDE- G090068	S022: SAE- Death Report	Document Mail Center	12/7/2010	FDA
IDE- G090068	FDA Receipt of S022	DMC Personnel	12/8/2010	FDA
IDE- G090068	S023: Response to S020	Document Mail Center	1/14/2011	ABT
IDE- G090068	FDA Receipt of S023	DMC Personnel	1/18/2011	FDA
IDE- G090068	S024: Additional Response to S020	Document Mail Center	1/21/2011	ABT
IDE- G090068	S025: SPIRIT PRIME Protocol Amendment	Document Mail Center	1/21/2011	ABT
IDE- G090068	S026: SAE- Death Report	Document Mail Center	1/21/2011	ABT
IDE- G090068	FDA Receipt of S024	DMC Personnel	1/24/2011	FDA
IDE- G090068	FDA Receipt of S025	DMC Personnel	1/24/2011	FDA
IDE- G090068	FDA Receipt of S026	DMC Personnel	1/24/2011	FDA
Module- M100015	FDA Module Letter- Deficiencies to M001	Bram Zuckerman, MD	1/27/2011	FDA
IDE- G090068	FDA IDE Letter: Response to S023 and Request for outstanding Information on S020	Bram Zuckerman, MD	2/17/2011	FDA
Module- M100015	M001/A001: Response to Module M001	Document Mail Center	2/23/2011	ABT
Module- M100015	FDA Receipt of M001/A001	DMC Personnel	2/24/2011	FDA
Module- M100015	M002: Submission of M002- Quality System Information (OC)	Document Mail Center	2/25/2011	ABT
Module- M100015	M003: Submission of M003- CMC, In Vitro Bench, Packaging, Sterilization (ODE)	Document Mail Center	2/25/2011	ABT
Module- M100015	FDA Receipt of M002	DMC Personnel	3/1/2011	FDA
Module- M100015	FDA Receipt of M003	DMC Personnel	3/1/2011	FDA
Module- M100015	FDA Module Letter: Deficiencies to M001/A001	Bram Zuckerman, MD	4/11/2011	FDA
Module- M100015	M004: Submission of M004, Final Module- Clinical	Document Mail Center	4/19/2011	ABT
PMA- P110019	FDA Receipt of M004 and assignment of PMA number	DMC Personnel	4/20/2011	FDA
PMA- P110019	A001: Response to M001/A001	Document Mail Center	5/3/2011	ABT
PMA- P110019	FDA Receipt of PMA A001	DMC Personnel	5/5/2011	FDA
PMA- P110019	FDA PMA Letter: OC Deficiencies	William C. MacFarland	5/17/2011	FDA
IDE- G090068	S027: Annual Report	Document Mail Center	5/26/2011	ABT
IDE- G090068	FDA Receipt of S027	DMC Personnel	5/27/2011	FDA
PMA- P110019	A002: Response to OC Deficiencies	Document Mail Center	6/15/2011	ABT
PMA- P110019	FDA Receipt of PMA A002	DMC Personnel	6/17/2011	ABT
PMA- P110019	FDA PMA Letter: Suitable for Filing	Bram Zuckerman, MD	6/27/2011	FDA
PMA- P110019	FDA PMA Letter: ODE Deficiencies	Bram Zuckerman, MD	7/18/2011	FDA
PMA- P110019	FDA PMA Letter: Additional OC Deficiencies (A002)	William C. MacFarland	7/21/2011	FDA
PMA- P110019	A003: Response to ODE Deficiencies	Document Mail Center	8/1/2011	ABT
PMA- P110019	FDA Receipt of PMA A003	DMC Personnel	8/4/2011	FDA
PMA- P110019	A004: Response to OC Deficiencies (A002)	Document Mail Center	8/12/2011	FDA
PMA- P110019	FDA Receipt of PMA A004	DMC Personnel	8/16/2011	FDA

XIENCE PRIME Everolimus Eluting Coronary Stent System Regulatory Summary				
Type	**Description**	**FDA Contact**	**Dated**	**Originator**
PMA- P110019	A004: Response to OC Deficiencies (A002)	Document Mail Center	9/16/2011	FDA
PMA- P110019	FDA Receipt of PMA A005	DMC Personnel	9/21/2011	FDA
PMA- P110019	E-mail: Additional Clinical and CMC deficiencies from PMA A003	PMA CDRH Reviewer	10/4/2011	FDA
PMA- P110019	E-mail: Response to Clinical deficiencies e-mail on 10/4/2011	PMA CDRH Reviewer	10/7/2011	ABT
PMA- P110019	E-mail: Response to CMC deficiencies e-mail on 10/4/2011	PMA CDRH Reviewer	10/11/2011	ABT
PMA- P110019	A006: Removal of Contractor Sterilizer	Document Mail Center	10/14/2011	ABT
PMA- P110019	FDA Receipt of PMA A006	DMC Personnel	10/18/2011	FDA
PMA- P110019	E-mail: Additional Clinical and CMC Deficiencies from e-mailed responses (Q1-Q5)	PMA CDRH Reviewer	10/18/2011	FDA
PMA- P110019	E-mail: Response to Q1, Q2, Q5 from email on 10/18/11	PMA CDRH Reviewer	10/19/2011	ABT
PMA- P110019	E-mail: Response to Q3, Q4 from email on 10/18/11	PMA CDRH Reviewer	10/20/2011	ABT
PMA- P110019	E-mail: Interactive Labeling Review	PMA CDRH Reviewer	10/26/2011	ABT
PMA- P110019	A007: Final Labeling Amendment	Document Mail Center	11/1/2011	ABT
PMA- P110019	FDA PMA Approval Letter	Bram Zuckerman, MD	11/1/2011	FDA

PTO/SB/21 (10-07)
Approved for use through 10/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	08/281,790 (USPN 5,514,154)
Filing Date	07/28/1994
First Named Inventor	Lilip Lau et al.
Art Unit	
Examiner Name	N/A
Attorney Docket Number	003168.1350

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):

Disclosure Submission Pursuant To 37 CFR 1.765 including Appendices A-C

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Baker Botts L.L.P.		
Signature			
Printed name	Daniel J. Hulseberg		
Date	06/13/2012	Reg. No.	36,554

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Yong Chen	Date	06/13/12

Application No. (if known): 08/281,790 (USPN 5,514,154) Attorney Docket No.: 003168.1350

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. **EI 495136523 US** in an envelope addressed to:

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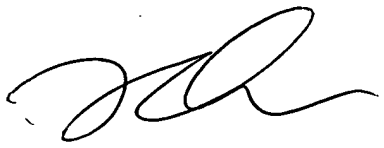
on June 13, 2012
Date



Signature

Yong Chen
Typed or printed name of person signing Certificate

67,315
Registration Number, if applicable

212-408-2500
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Transmittal Form (1 page)

2. 1 original and 1 copy of Disclosure Submission Pursuant To 37 CFR §1.765 including Appendices A-C (157 pages).

3. Certificate of Express Mailing Under 37 CFR 1.10 (1 page)

4. Return Postcard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	:	U.S. Patent No. 5,514,154 (U.S.S.N. 08/281,790)		
Issued:	:	May 7, 1996	Regulatory Approval Product:	XIENCE PRIME™ and XIENCE PRIME™ LL Everolimus Eluting Coronary Stent System (EECSS)
Inventors	:	Lilip Lau et al.		
For	:	Expandable Stents		

DISCLOSURE SUBMISSION PURSUANT TO 37 CFR § 1.765

VIA EXPRESS MAIL
Mail Stop: Hatch-Waxman PTE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A formal application for extension of the term (the "PTE Application") of U.S. Patent No. 5,514,154 (the '154 Patent), believed to be in full compliance with 37 C.F.R. § 1.740, was filed by Applicant, Abbott Cardiovascular Systems Inc., on December 28, 2011. A supplemental submission was filed on December 29, 2011, to correct minor errors of the PTE Application. Absent the extension of the term sought, the '154 Patent is initially set to expire on May 7, 2013.

Applicant formally submits herewith information and materials that may be relevant to the determination of entitlement to the extension sought pursuant to 35 U.S.C. § 156 for the '154 Patent. Although not necessarily material or adverse to any such determination, the following information and materials are provided for consideration pursuant to 37 C.F.R. § 1.765.

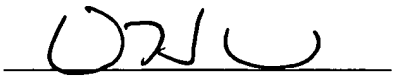
Appendix A:	Summary of Certain Stent Products Previously Approved by the FDA
Appendix B:	List of U.S. Applications/Patents Related to the '154 Patent
Appendix C:	Litigations Involving the '154 Patent

Applicant believes the '154 Patent is eligible for an extension pursuant to 35 U.S.C. § 156 based upon FDA approval of the XIENCE PRIME™ and XIENCE PRIME™ LL Everolimus Eluting Coronary Stent System (EECSS). Applicant respectfully submits that the materials submitted herewith do not adversely impact the eligibility of the '154 Patent for such an extension. The USPTO and/or FDA are invited to contact the undersigned with any questions or requests for additional information regarding this matter.

Applicant authorizes the Commissioner to charge any fees and/or credit any overpayments associated with this submission to Baker Botts L.L.P. Deposit Account No. 02-4377, Ref. No. 003168.1350.

Date: June 13, 2012

Respectfully submitted,



Daniel J. Hulseberg
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Attorneys for Applicant

Customer No. 62,614

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Appendix A: Summary of Certain Stent Products Previously Approved by the FDA

Summary of Certain Stent Products Previously Approved by the FDA			
Company	**Product**	**Submission Reference**	**Approval Date**
Guidant / ACS	ACS MULTI-LINK Coronary Stent System	P970020	10/2/1997
Guidant / ACS	ACS RX MULTI-LINK Coronary Stent System	P970020	10/2/1997
Guidant / ACS	ACS RX MULTI-LINK HP Coronary Stent System	P970020	10/2/1997
Guidant / ACS	ACS OTW MULTI-LINK HP Coronary Stent System	P970020	10/2/1997
Guidant / ACS	ACS RX MULTI-LINK HP Coronary Stent System (25 mm length)	P970020/S001	8/4/1998
Guidant / ACS	ACS MULTI-LINK RX DUET Coronary Stent System	P970020/S004	11/5/1998
Guidant / ACS	ACS MULTI-LINK OTW DUET Coronary Stent System	P970020/S004	11/5/1998
Guidant / ACS	ACS MULTI-LINK RX TRISTAR Coronary Stent System	P970020/S017	12/22/1999
Guidant / ACS	ACS MULTI-LINK OTW TRISTAR Coronary Stent System	P970020/S017	12/22/1999
Guidant / ACS	ACS MULTI-LINK RX ULTRA Coronary Stent System	P970020/S021	9/8/2000
Guidant / ACS	ACS MULTI-LINK OTW ULTRA Coronary Stent System	P970020/S021	9/8/2000
Guidant / ACS	MULTI-LINK RX TETRA Coronary Stent System	P970020/S023	10/3/2000
Guidant / ACS	MULTI-LINK OTW TETRA Coronary Stent System	P970020/S023	10/3/2000
Guidant / ACS	MULTI-LINK RX PENTA Coronary Stent System	P970020/S027	5/7/2001
Guidant / ACS	MULTI-LINK OTW PENTA Coronary Stent System	P970020/S027	5/7/2001
Guidant / ACS	MULTI-LINK RX PIXEL Coronary Stent System	P970020/S030	6/1/2001
Guidant / ACS	MULTI-LINK OTW PIXEL Coronary Stent System	P970020/S030	6/1/2001
Guidant / ACS	MULTI-LINK RX ZETA Coronary Stent System	P970020/S042	9/13/2002

Summary of Certain Stent Products Previously Approved by the FDA			
Company	**Product**	**Submission Reference**	**Approval Date**
Guidant / ACS	MULTI-LINK OTW ZETA Coronary Stent System	P970020/S042	9/13/2002
Guidant / ACS	MULTI-LINK RX VISION Coronary Stent System	P020047	7/16/2003
Guidant / ACS	MULTI-LINK OTW VISION Coronary Stent System	P020047	7/16/2003
Guidant / ACS	MULTI-LINK RX MINI VISION Coronary Stent System	P020047/S003	9/10/2004
Guidant / ACS	MULTI-LINK OTW MINI VISION Coronary Stent System	P020047/S003	9/10/2004
Guidant / ACS	MULTI-LINK RX VISION Coronary Stent System (2.75 mm diameter)	P020047/S004	9/10/2004
Guidant / ACS	MULTI-LINK OTW VISION Coronary Stent System (2.75 mm diameter)	P020047/S004	9/10/2004
Abbott Vascular	MULTI-LINK 8 Coronary Stent System	P020047/S017	6/22/2010
Abbott Vascular	MULTI-LINK 8 LL Coronary Stent System	P020047/S017	6/22/2010
Abbott Vascular	MULTI-LINK 8 SV Coronary Stent System	P020047/S022	8/31/2010
Guidant / ACS	Megalink	K983075 K991032 K992319 K000550 K001222	03/03/1999 04/30/1999 10/08/1999 03/17/2000 05/17/2000
Guidant / ACS	Herculink	K990867 K993588 K001224	09/02/1999 11/17/1999 05/17/2000
Guidant	Herculink Plus	K010684	04/12/2001
Guidant or Abbott Vascular	Herculink Elite	K053454 K063481 P110001	03/06/2006 09/14/2007 07/20/2011
Guidant or Guidant Endovascular Solutions	Omnilink 018	K011039 K033834 K060817	05/08/2001 01/02/2004 06/15/2006
Guidant	Omnilink 035	K011506 K032530 K053459	06/15/2001 10/23/2003 04/12/2006
Abbott Vascular	Omnilink Elite	P110043	Under review

Appendix B: U.S. Applications/Patents Related to the '154 Patent*

U.S. Applications/Patents Related to the '154 Patent					
Application / Reexamination No.	**Filing Date**	**Status**	**Publication No.**	**Patent No.**	**Issue Date**
08/164,986	12/9/1993	Abandoned	N/A	N/A	N/A
07/783,558	10/8/1991	Abandoned	N/A	N/A	N/A
08/214,402	3/17/1994	Issued	N/A	5421955	9/6/1995
08/556,516	11/13/1995	Issued	N/A	5603721	2/18/1997
08/783,033	1/14/1997	Issued	N/A	5728158	3/17/1998
08/783,097	1/14/1997	Issued	N/A	5735893	4/7/1998
08/823,434	3/24/1997	Issued	N/A	5766238	6/16/1998
09/135,222	8/17/1998	Issued	N/A	6056776	5/2/2000
09/084,797	5/26/1998	Issued	N/A	6066167	5/23/2000
09/055,582	4/6/1998	Issued	N/A	6066168	5/23/2000
09/561,098	4/28/2000	Issued	N/A	6309412	10/30/2001
09/716,847	11/16/2000	Issued	N/A	6432133	8/13/2002
09/891,834	6/25/2011	Issued	20010037147	6485511	11/26/2002
09/715,415	11/16/2000	Issued	N/A	6511504	1/28/2003
09/779,078	2/8/2001	Issued	20030097168	6596022	6/22/2003
09/323,783	6/1/1999	Issued	N/A	6620193	9/16/2003
09/323,642	6/1/1999	Issued	N/A	6626933	9/30/2003
09/323,637	6/1/1999	Issued	N/A	6629991	10/7/2003
10/427,796	5/1/2003	Issued	20030195615	6689159	2/10/2004
10/427,514	5/1/2003	Issued	20030195612	6908479	6/21/2005
11/112,143	4/22/2005	Issued	20050192663	7513907	4/7/2009
09/792,598	2/23/2001	Abandoned	N/A	N/A	N/A
09/715,972	11/16/2000	Abandoned	N/A	N/A	N/A
10/626,083	7/24/2003	Abandoned	20040098080	N/A	N/A

* U.S. applications/patents related to the '154 Patent refer to the U.S. applications or patents (including reexamination thereof) that directly or indirectly claim priority to the '154 Patent, as well as applications or patents, if any, to which the '154 Patent claims priority.

U.S. Applications/Patents Related to the '154 Patent					
Application / Reexamination No.	**Filing Date**	**Status**	**Publication No.**	**Patent No.**	**Issue Date**
12/418,495	4/3/2009	Abandoned	20090188889	N/A	N/A
90/007,878	1/17/2006	Reexamination Certificate Issued	N/A	5514154	6/15/2010
90/008,865	10/4/2007	Reexamination Certificate Issued	N/A	5514154	6/15/2010
90/009,309	10/24/2008	Reexamination Certificate Issued	N/A	5514154	6/15/2010
90/008,622	5/7/2007	Reexam Terminated -- Request Denied	N/A	5514154	N/A
90/007,890	1/23/2006	Reexamination Certificate Issued	N/A	6066168	5/18/2010
90/008,619	5/7/2007	Reexamination Certificate Issued	N/A	6066168	5/18/2010
90/008,709	8/14/2007	Preprocessing Terminated	N/A	6066168	N/A
90/009,158	5/23/2008	Reexamination Certificate Issued	N/A	6066168	5/18/2010
90/007,888	1/23/2006	Reexamination Certificate Issued	N/A	6432133	11/29/2011
95/000,247	3/30/2007	Reexam Request Denied	N/A	6432133	N/A
90/007,889	1/23/2006	Reexamination Certificate Issued	N/A	6066167	5/11/2010
90/008,620	5/7/2007	Reexamination Certificate Issued	N/A	6066167	5/11/2010
90/008,710	6/15/2007	Preprocessing Terminated	N/A	6066167	N/A
90/009,159	05/23/2008	Reexamination Certificate Issued	N/A	6066167	5/11/2010

Appendix C: Litigations Involving the '154 Patent

Advanced Cardiovascular Systems, Inc. has asserted the '154 Patent in the following three district court litigations:

1. *Advanced Cardiovascular Sys., Inc. v. Medtronic Vascular, Inc.*, C.A. 98-80 (SLR) (D. Del.) (*Medtronic* Litigation)

In the *Medtronic* Litigation, the jury found that stents sold by Medtronic infringed the asserted claims of the '154 Patent, and that the asserted claims of the '154 Patent were not invalid in view of the prior art. In May 2007, the District Court for the District of Delaware entered judgment in favor of ACS, finding that the '154 Patent, and related patents, were infringed and not invalid. Medtronic filed an appeal with the Court of Appeals for the Federal Circuit. Prior to any decision by the Federal Circuit, the parties settled the litigation and Medtronic paid an agreed amount to ACS. The Federal Circuit dismissed the appeal, and the District Court subsequently dismissed the case.

For the convenience of the USPTO, a copy of the claim construction order pertaining to the '154 Patent by the District Court for the District of Delaware, *Medtronic Vascular, Inc. v. Advanced Cardiovascular Sys., Inc.* 2005 WL 67083 (D. Del. Jan. 5, 2005), is enclosed as Exhibit C.1.(a). Additionally, a copy of the Jury Verdict of February 18, 2005 is enclosed as Exhibit C.1.(b). Further, a copy of the docket report for the *Medtronic* Litigation is enclosed as Exhibit C.1.(c). If any other document(s) from the docket report for the *Medtronic* Litigation are desired by the USPTO for consideration, Applicant respectfully offers to obtain and submit a copy of such document(s) to the USPTO upon request.

2. *Advanced Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.*, No. 98-1108-CH/G (S.D. Ind.) (*Scimed/Boston Scientific* Litigation)

In the *Scimed/Boston Scientific* litigation, the District Court for the Southern District of Indiana granted a summary judgment of non-infringement with respect to certain claims of the '154 Patent, among other asserted claims. The case was appealed to the Federal Circuit, which vacated the District Court's grant of summary judgment of non-infringement with respect to claims 1-4, 9, 12-15, 17, 18, 20 and 23 of the '154 Patent, and affirmed the District Court's grant

of summary judgment of non-infringement of claims 10 and 21 of the '154 Patent. *See Advanced Cardiovascular Sys., Inc.* v. *Scimed Life Sys., Inc.*, 261 F.3d 1329 (Fed. Cir. 2001). After the case was remanded to the District Court, the parties settled the dispute, and ACS granted the defendants a license to the '154 Patent, among other patents.

For the convenience of the USPTO, a copy of the Federal Circuit opinion in *Advanced Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.* 261 F.3d 1329 (Fed. Cir. 2001) is enclosed as Exhibit C.2.(a). Additionally, a copy of the docket report for the *Scimed/Boston Scientific* Litigation is enclosed as Exhibit C.2.(b). If any other document(s) from the docket report for the *Scimed/Boston Scientific* Litigation are desired by the USPTO for consideration, Applicant respectfully offers to obtain and submit a copy of such document(s) to the USPTO upon request

3. *Advanced Cardiovascular Sys., Inc. v. Cordis Corp and Johnson & Johnson Corp.*, CA No. C 99-00744 CAL ENE (N.D. Cal.) (*Cordis/J&J* Litigation)

In the *Cordis/J&J* litigation, the parties agreed to transfer the dispute to binding arbitration. The parties settled the dispute after a hearing on the merits, but prior to final decision by the arbitration panel. As a result of the settlement, ACS granted the defendants a license to the '154 Patent, among other patents.

For the convenience of the USPTO, a copy of the docket report for the *Cordis/J&J* Litigation is enclosed as Exhibit C.3. If any document(s) from the docket report for the *Cordis/J&J* Litigation are desired by the USPTO for consideration, Applicant respectfully offers to obtain and submit a copy of such document(s) to the USPTO upon request.

Exhibit C.1.(a)

Not Reported in F.Supp.2d, 2005 WL 67083 (D.Del.), 2005 Markman 67083
(Cite as: 2005 WL 67083 (D.Del.))

H
Only the Westlaw citation is currently available.
Only the Westlaw citation is currently available.

United States District Court,
D. Delaware.
MEDTRONIC VASCULAR, INC. and Medtronic USA, Inc, Plaintiffs,
v.
ADVANCED CARDIOVASCULAR SYSTEMS, INC. and Guidant Sales Corp., Defendants.

No. Civ.98–80–SLR.
Jan. 5, 2005.

Construed Terms:

Longitudinally flexible stent
Cylindrical element
Cylindrically shaped element
Cylindrical ring
Independently expandable in the radial direction
Connecting elements
Connecting members
Interconnecting elements
Struts for connecting
Interconnected
Connected together
Connected
Attaching/attaches/attached
Weld connection
Generally parallel connecting elements
Outwardly projecting edges
Without appreciable shortening
Undulating pattern/undulating portion

Karen Jacobs Louden, Philip Henry Bangle, Morris, Nichols, Arsht & Tunnell, Patricia Smink Rogowski Connolly, Bove, Lodge & Hutz, Wilmington, DE, for plaintiffs.

Frederick L. Cottrell, III, Richards, Layton & Finger, Wilmington, DE, for defendants.

MEMORANDUM ORDER

ROBINSON, J.

*1 At Wilmington this 5th day of January, 2005, having heard oral argument and having reviewed the papers submitted in connection with the parties' proposed claim construction;

IT IS ORDERED that the disputed claim language in U.S. Patent Nos. 5,514,154 ("the '154 patent"), 5,603,721 ("the '721 patent"), 5,735,893 ("the '893 patent"), 6,056,776 ("the '776 patent"), 6,066,167 ("the '167 patent"), 6,066,168 ("the '168 patent") and 6,432,133 ("the '133 patent") as identified by the above referenced parties, shall be construed consistent with the tenets of claim construction set forth by the United States Court of Appeals for the Federal Circuit, as follows:

1. "Longitudinally flexible stent." Consistent with its ordinary meaning [FN1] and the specification, the court construes "longitudinally flexible stent" to mean "a stent that is flexible along its longitudinal axis (i.e.length) to facilitate delivery through tortuous body lumens." [FN2]

FN1. *See* American Heritage Dictionary 741 (2d ed.1984) (defining "longitudinal" as "of or pertaining to length"); *id.* at 513 (defining "flexible" as "capable of being bent or flexed; pliable").

FN2. Plaintiffs argue that "to facilitate delivery through tortuous body lumens" is an unnecessary restriction. However, the intrinsic evidence supports the conclusion that having longitudinal flexibility alone is not enough to meet the restrictions of the Lau design; a stent must be flexible enough to be delivered through "tortuous body lumens" before it will be considered to meet the "longitudinally flexible" limitation of the Lau patents.

2. "Cylindrical element," "cylindrically shaped element," and "cylindrical ring." Consistent with the patents at issue [FN3] and their prosecution history,[FN4] the court construes these terms to mean "a radially expandable segment of a stent having a longitudinal length less than its diameter with a circumferential undulating pattern.[FN5] Furthermore, cylindrical rings

are not in and of themselves, stents." [FN6]

FN3. *See, e.g.,* '154 patent, col. 2, l. 67; col. 3, ll. 1–4; col. 5, ll. 44–51, 61–67; col. 6, ll. 8–16

FN4. D.I. 438 at 1535, 1539–40

FN5. The court has construed "undulating pattern" to mean "a wavelike pattern that includes any combination of U-shaped, W-shaped or Y-shaped members." Defendants argue that the references to U-shaped, Y-shaped or W-shaped members in the written description refer only to a preferred embodiment. However, during the prosecution of the patent, the patentee continuously refers to these shaped structures in describing his invention and distinguishing it from others. Therefore, based on the prosecution history it is evident that, despite the references to the preferred embodiment in the written description, the patentee thought the cylindrical elements were defined by these shaped structures.

FN6. Plaintiffs argue that the last sentence is not necessary. In light of the prosecution history, it is apparent that Lau disclaimed using the cylindrical elements as "stand-alone" stents. (D.I. 438 at 1539–40)

3. "Independently expandable in the radial direction." Consistent with the ordinary meaning to one of ordinary skill in the art and the patents at issue, [FN7] the court construes this phrase to mean "each cylindrical element is relatively independently expandable with respect to each adjacent cylindrical element."

FN7. *See, e.g.,* '154 patent, col. 1, ll. 60–62; col. 4, ll. 52–55.

4. "Connecting elements," "connecting members," interconnecting elements" and "struts for connecting." Consistent with the specifications of the patents at issue [FN8] and their prosecution history,[FN9] the court construes these phrases to mean "segments of a stent that extend between adjacent cylindrical elements, connecting them together."

FN8. D.I. 438 at 1535; D.I. 467, Ex. 46 at 1919.

FN9. *See, e.g.,* '154 patent, col. 1, ll. 64–66; col. 2, ll. 1–6, 57–67.

5. "Interconnected," "connected together," "connected" and "attaching/attaches/attached." Consistent with its ordinary meaning, the court construes these phrases to mean "connected."

6. "Weld connection." Consistent with the asserted claim at issue,[FN10] the specification [FN11] and the prosecution history,[FN12] the court construes "weld connection" to mean "a weld."

FN10. '168 patent, claim 1, col. 8, ll. 42–45.

FN11. '168 patent, col. 2, ll. 65–67; col. 3, ll. 1–5.

FN12. D.I. 467 at 1903–1920, 2093, 2098.

7. "Generally parallel connecting elements." Consistent with Federal Circuit precedent,[FN13] the court construes this phrase to mean "two or more connecting elements that are generally parallel to each other."

FN13. *See Advaced Cardiovascular Systems, Inc., et al. v. Scimed Life Systems, Inc. et al.,* 261 F.3d 1329 (Fed.Cir.2001).

8. "Outwardly projecting edges," and "projecting edges." Consistent with the patents at issue [FN14] and their prosecution history,[FN15] the court construes "outwardly projecting edges" to mean "portions of the U-shaped, Y-shaped or W-shaped members that tip outwardly during expansion, resulting in projections on the outer surface of the expanded stent."

FN14. *See, e.g.,* '154 patent, col. 2, ll. 46–51; col. 4, ll. 10–12; col. 6, ll. 17–26; col. 8, ll. 14–23.

FN15. D.I. 438 at 1537.

***2** 9. "Without appreciable shortening." Consistent with the prosecution history,[FN16] the court con-

strues "without appreciable shortening" to mean "the stent does not substantially shorten upon expansion."

FN16. D.I. 438 at 1530–31, 38–39.

10. "Undulating pattern," and "undulating portion." Consistent with its ordinary meaning,[FN17] the patents at issue [FN18] and their prosecution history,[FN19] the court construes these phrases to mean "a wavelike pattern that includes any combination of U-shaped, W-shaped or Y-shaped members."

FN17. *See* American Heritage Dictionary 1318 (2d ed.1984).

FN18. *See, e.g.,* '154 patent, col. 2, ll. 67; col. 3, ll. 1–4; col. 5, ll. 44–51, 61–67; col. 6, ll. 8–16.

FN19. D.I. 438 at 1535, 1539–40.

D.Del.,2005.
Medtronic Vascular, Inc. v. Advanced Cardiovascular Systems, Inc.
Not Reported in F.Supp.2d, 2005 WL 67083 (D.Del.), 2005 Markman 67083

END OF DOCUMENT

Exhibit C.1.(b)

629

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

ADVANCED CARDIOVASCULAR SYSTEMS, INC., and GUIDANT SALES CORPORATION,	)	
Plaintiffs,	)	
v.	)	Civ. No. 98-80-SLR
MEDTRONIC VASCULAR, INC. and, MEDTRONIC USA, INC.,	)	
Defendants.	)	

JURY VERDICT

We, the jury, unanimously find as follows:

I. INFRINGEMENT

A. The '154 Patent

1. Do you find that ACS has shown by a preponderance of the evidence that Medtronic has literally infringed any of the following claims with the following products? ("YES" answers to these questions are finding for ACS. "NO" answers are findings for Medtronic.)

'154	Claim 1		Claim 4		Claim 12	
MicroStent II	Yes	No	Yes	No		
GFX	Yes	No	Yes	No		
GFX2	Yes	No	Yes	No		
GFX2.5	Yes	No	Yes	No		
S540	Yes	No	Yes	No		
S660	Yes	No	Yes	No		
S670	Yes	No	Yes	No		
BeStent2					Yes	No

B. The '167 Patent

2. Do you find that ACS has shown by a preponderance of the evidence that Medtronic has literally infringed any of the following claims with its accused products? ("YES" answers to these questions are findings for ACS. "NO" answers are findings for Medtronic.)

'167 Patent	Claim 5		Claim 8	
MicroStent II	Yes	No	Yes	No
GFX	Yes	No	Yes	No
GFX2	Yes	No	Yes	No
GFX2.5	Yes	No	Yes	No
S540	Yes	No	Yes	No
S660	Yes	No	Yes	No
S670	Yes	No	Yes	No
S7	Yes	No	Yes	No
Driver	Yes	No	Yes	No
MicroDriver	Yes	No	Yes	No
Racer	Yes	No	Yes	No

C. The '168 Patent

3. Do you find that ACS has shown by a preponderance of the evidence that Medtronic has literally infringed any of the following claims with its accused products? ("YES" answers to these questions are findings for ACS. "NO" answers are findings for Medtronic.)

'168 Patent	Claim 1		Claim 3		Claim 11	
MicroStent II	Yes	No	Yes	No		
GFX	Yes	No	Yes	No	Yes	No
GFX2	Yes	No	Yes	No	Yes	No
GFX2.5	Yes	No	Yes	No	Yes	No
S540	Yes	No	Yes	No	Yes	No
S660	Yes	No	Yes	No	Yes	No
S670	Yes	No	Yes	No	Yes	No
S7	Yes	No	Yes	No	Yes	No

'168 Patent	Claim 1		Claim 3		Claim 11	
Driver	(Yes)	No	(Yes)	No	(Yes)	No
MicroDriver	(Yes)	No	(Yes)	No	(Yes)	No
Racer	(Yes)	No	(Yes)	No	(Yes)	No

D. The '133 Patent

4. Do you find that ACS has shown by a preponderance of the evidence that Medtronic has literally infringed any of the following claims with its accused products? ("YES" answers to these questions are findings for ACS. "NO" answers are findings for Medtronic.)

'133 Patent	Claim 1		Claim 2		Claim 3		Claim 9	
GFX	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
GFX2	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
GFX2.5	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
S540	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
S660	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
S670	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
S7	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
Driver	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
MicroDriver	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
Racer	(Yes)	No	(Yes)	No	(Yes)	No	(Yes)	No
BeStent2	(Yes)	No	(Yes)	No	(Yes)	No		

II. VALIDITY

A. Obviousness. Do you find that Medtronic has proven by clear and convincing evidence that any of the following claims are invalid due to obviousness? ("YES" answers to these questions are findings for Medtronic. "NO" answers are findings for ACS.)

The '154 Patent	Obviousness	
Claim 1	Yes ___	No ✓
Claim 4	Yes ___	No ✓
Claim 12	Yes ___	No ✓

	Obviousness
The '167 Patent	
Claim 5	Yes ~~X~~ No ✓
Claim 8	Yes ___ No ✓
The '168 Patent	
Claim 1	Yes ___ No ✓
Claim 3	Yes ___ No ✓
Claim 11	Yes ___ No ✓
The '133 Patent	
Claim 1	Yes ___ No ✓
Claim 2	Yes ___ No ✓
Claim 3	Yes ___ No ✓
Claim 9	Yes ___ No ✓

Each juror should sign the verdict form to reflect that a unanimous verdict has been reached.

Dated 2/10/, 2005

Paul DeAsaro
FOREPERSON

Robert Anderson

Kathy A. Pollard

Richard L. Williams

Marjorie A. Rupp

Donna D. Walker

Exhibit C.1.(c)

CLOSED,PaperDocuments,LEAD,PATENT

U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:98-cv-00080-SLR

Abbott Cardio Sys, et al v. Medtronic Vascular, et al
Assigned to: Judge Sue L. Robinson
Demand: $0
Related Cases: 1:07-cv-00259-SLR
1:06-cv-00613-SLR
Case in other court: USCA for the Federal Circuit, 05-01280
USCA for the Federal Circuit, 07-01365
USCA Federal Circuit, 09-01038
00-05230
USDC/DE, CA97-550 SLR
Cause: 35:271 Patent Infringement

Date Filed: 02/18/1998
Date Terminated: 11/21/2008
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Arterial Vascular Engineering, Inc.
TERMINATED: 09/12/2003

represented by **Karen Jacobs Louden**
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Plaintiff

Advanced Cardiovascular Systems, Inc.
Advanced Cardiovascular Systems, Inc. (as of 2/4/05 now in role of plaintiff per D.I. 585)
TERMINATED: 06/28/2007

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ATTORNEY TO BE NOTICED

Plaintiff

Abbott Laboratories Inc.
f/k/a Guidant Sales Corporation
(changed per D.I. 723)

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(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Anne Shea Gaza
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Medtronic Ave Inc.
Medtronic Vascular, Inc. (as of 2/4/05 now in role of defendant per D.I. 585)
also known as
Medtronic AVE, Inc.

represented by **Karen Jacobs Louden**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patricia Smink Rogowski
(See above for address)
TERMINATED: 05/09/2003
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Counter Claimant

Advanced Cardiovascular Systems, Inc. represented by **Frederick L. Cottrell , III**
TERMINATED: 06/28/2007
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Advanced Cardiovascular Systems, Inc. represented by **Frederick L. Cottrell , III**
TERMINATED: 06/28/2007
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Guidant Sales Coporation
Guidant Sales Corp., (as of 2/4/05 now in role of plaintiff per D.I. 585)
TERMINATED: 06/28/2007

represented by **Frederick L. Cottrell , III**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Anne Shea Gaza
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ATTORNEY TO BE NOTICED

V.

Defendant

Medtronic USA, Inc.
Medtronic USA, Inc. (as of 2/4/05 now in role of defendant per D.I. 585)

represented by **Karen Jacobs Louden**
(See above for address)
LEAD ATTORNEY
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Philip Henry Bangle
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TERMINATED: 02/04/2005
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Counter Defendant

Advanced Cardiovascular Systems, Inc.
TERMINATED: 06/28/2007

represented by **Frederick L. Cottrell , III**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

Guidant Sales Coporation
TERMINATED: 06/28/2007

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Advanced Cardiovascular Systems, Inc.
TERMINATED: 06/28/2007

represented by **Frederick L. Cottrell , III**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Guidant Sales Coporation
TERMINATED: 06/28/2007

V.

Counter Defendant

Medtronic Ave Inc.
also known as
Medtronic AVE, Inc.

represented by **Patricia Smink Rogowski**
(See above for address)
TERMINATED: 05/09/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Philip Henry Bangle
(See above for address)
TERMINATED: 02/04/2005
LEAD ATTORNEY
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Anthony S. Newman
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Kevin S. Rosen
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ATTORNEY TO BE NOTICED

Matthew A. Hoffman
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ATTORNEY TO BE NOTICED

Counter Defendant

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TERMINATED: 02/04/2005
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ATTORNEY TO BE NOTICED

Anthony S. Newman
(See above for address)

Kevin S. Rosen
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ATTORNEY TO BE NOTICED

Matthew A. Hoffman
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Counter Defendant

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TERMINATED: 06/28/2007
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

Guidant Sales Coporation represented by **Frederick L. Cottrell , III**
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Counter Defendant

Advanced Cardiovascular Systems, Inc. represented by **Frederick L. Cottrell , III**
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ATTORNEY TO BE NOTICED

Counter Defendant

Guidant Sales Coporation
TERMINATED: 06/28/2007

represented by **Frederick L. Cottrell , III**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/18/1998	1	COMPLAINT filed; Mag consent notice to pltf. FILING FEE $ 150.00 RECEIPT # 119925 (dab) (Entered: 02/18/1998)
02/18/1998		DEMAND for jury trial by Arterial Vascular (dab) (Entered: 02/18/1998)
02/18/1998		SUMMONS(ES) issued for Advanced Cardio Sys. (dab) (Entered: 02/18/1998)
02/25/1998	2	CASE assigned to Judge Sue L. Robinson . Notice to all parties. (ntl) (Entered: 02/25/1998)
03/02/1998	3	RETURN OF SERVICE executed as to Advanced Cardio Sys. 2/27/98 Answer due on 3/19/98 for Advanced Cardio Sys. (lf) (Entered: 03/10/1998)
03/09/1998	7	Letter dated 3/9/98 from Patricia Rogowski, Esq. to Clerk; Re: replacement copies to complaint (lf) (Entered: 03/19/1998)
03/10/1998	4	RETURN OF SERVICE executed as to Advanced Cardio Sys. 2/20/98 Answer due on 3/12/98 for Advanced Cardio Sys. (lf) (Entered: 03/10/1998)
03/12/1998	5	STIPULATION with proposed order for defts to answer to complaint by 3/30/98 (lf) (Entered: 03/16/1998)
03/12/1998	6	AFFIDAVIT of Patricia Rogowski (lf) (Entered: 03/16/1998)
03/17/1998		So Ordered granting [5-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 03/19/1998)
03/30/1998	8	ANSWER to Complaint by Advanced Cardio Sys. (Attorney), (lf) (Entered: 04/01/1998)
03/31/1998	9	MOTION by Advanced Cardio Sys. with Proposed Order to Transfer Case to Northern District of California (lf) (Entered: 04/06/1998)
03/31/1998	10	Opening Brief Filed by Advanced Cardio Sys. [9-1] motion to Transfer Case to Northern District of California - Answer Brief due 4/14/98 (lf) (Entered: 04/06/1998)
03/31/1998	11	MOTION by Advanced Cardio Sys. with Proposed Order to Dismiss , or to Stay the complaint (lf) (Entered: 04/06/1998)
03/31/1998	12	Opening Brief Filed by Advanced Cardio Sys. [11-1] motion to Dismiss - Answer Brief due 4/14/98, [11-2] motion to Stay the complaint - Answer Brief due 4/14/98 (lf)

		(Entered: 04/06/1998)
03/31/1998	13	Declaration of Bruce Barclay (lf) (Entered: 04/06/1998)
03/31/1998	14	Declaration of John Fitzgerald (lf) (Entered: 04/06/1998)
03/31/1998	15	Declaration of Richard Cates (lf) (Entered: 04/06/1998)
04/03/1998	16	Letter dated 4/3/98 from Frederick Cottrell, Esq. to Judge Robinson; Re: enclosing copy of compliant from the action in California (lf) (Entered: 04/06/1998)
04/07/1998	17	MOTION by Arterial Vascular with Proposed Order for John Williamson, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/08/1998)
04/07/1998	18	MOTION by Arterial Vascular with Proposed Order for D. Michael Underhill, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/08/1998)
04/07/1998	19	MOTION by Arterial Vascular with Proposed Order for Scott Stempel, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/08/1998)
04/07/1998	20	MOTION by Arterial Vascular with Proposed Order for Richard Meyer, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/08/1998)
04/07/1998	21	MOTION by Arterial Vascular with Proposed Order for William Wallace, Es.q to Appear Pro Hac Vice (lf) (Entered: 04/08/1998)
04/07/1998	22	MOTION by Arterial Vascular with Proposed Order for Penelope Lister, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/08/1998)
04/09/1998		So Ordered granting [22-1] motion for Penelope Lister, Esq. to Appear Pro Hac Vice, granting [21-1] motion for William Wallace, Es.q to Appear Pro Hac Vice, granting [20-1] motion for Richard Meyer, Esq. to Appear Pro Hac Vice, granting [19-1] motion for Scott Stempel, Esq. to Appear Pro Hac Vice, granting [18-1] motion for D. Michael Underhill, Esq. to Appear Pro Hac Vice, granting [17-1] motion for John Williamson, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 04/13/1998)
04/15/1998	23	STIPULATION and proposed order to stay all proceedings pending determination fo venue (lf) (Entered: 04/16/1998)
04/17/1998		So Ordered granting [23-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 04/17/1998)
06/15/1998	24	AMENDED ANSWER to Complaint by Advanced Cardio Sys. : amends [8-1] answer (lf) (Entered: 06/16/1998)
06/30/1998	25	NOTICE of Local Rule 81.2 report by Arterial Vascular (lf) (Entered: 07/01/1998)
07/06/1998	26	Reply of Pltf to counterclaim of deft Advanced Cardiovascular Systems (lf) (Entered: 07/07/1998)
07/06/1998	27	MOTION by Arterial Vascular to Strike affirmative defenses , and to Dismiss counterclaims (lf) (Entered: 07/07/1998)

07/06/1998	28	Opening Brief Filed by Arterial Vascular [27-1] motion to Strike affirmative defenses - Answer Brief due 7/20/98, [27-2] motion to Dismiss counterclaims - Answer Brief due 7/20/98 (lf) (Entered: 07/07/1998)
07/07/1998	29	NOTICE of compendium of unreported decisions to pltf's opening brief in support of its motion to strike affirmative defenses and dismiss counterclaim by Arterial Vascular (lf) (Entered: 07/09/1998)
07/09/1998	30	MOTION by Advanced Cardio Sys. with Proposed Order for Richard Cates, Esq. to Appear Pro Hac Vice (lf) (Entered: 07/10/1998)
07/09/1998	31	MOTION by Advanced Cardio Sys. with Proposed Order for Craig Bailey, Esq. to Appear Pro Hac Vice (lf) (Entered: 07/10/1998)
07/10/1998		So Ordered granting [31-1] motion for Craig Bailey, Esq. to Appear Pro Hac Vice, granting [30-1] motion for Richard Cates, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 07/13/1998)
07/20/1998	32	Answer Brief Filed by Advanced Cardio Sys. [27-1] motion to Strike affirmative defenses - Reply Brief due 7/27/98, [27-2] motion to Dismiss counterclaims - Reply Brief due 7/27/98 (lf) (Entered: 07/21/1998)
07/27/1998	33	Reply Brief Filed by Arterial Vascular [27-1] motion to Strike affirmative defenses, [27-2] motion to Dismiss counterclaims (lf) (Entered: 07/28/1998)
10/22/1998	34	Letter dated 10/22/98 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: rqsting oral argument on AVE's motion to disqualify lead trial cnsl (lf) (Entered: 10/26/1998)
11/05/1998	35	MOTION by Arterial Vascular with Proposed Order for Michele Van Patten Frank, Esq. to Appear Pro Hac Vice (lf) (Entered: 11/06/1998)
11/09/1998		So Ordered granting [35-1] motion for Michele Van Patten Frank, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 11/10/1998)
01/13/1999	36	ORDER, general status cnf. scheduled for 1/28/99 (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 01/14/1999)
01/28/1999		Status conference held, Robinson, J., sitting; Rptr: V. Gunning (lf) (Entered: 09/28/1999)
02/08/1999	37	MOTION by Advanced Cardio Sys. to Stay action pending arbitration Answer Brief due 2/22/99 re: [37-1] motion (lf) (Entered: 02/09/1999)
02/08/1999	38	Opening Brief Filed by Advanced Cardio Sys. [37-1] motion to Stay action pending arbitration - Answer Brief due 2/22/99 (SEALED) (lf) (Entered: 02/09/1999)
02/08/1999	39	AFFIRMATION (SEALED) (lf) (Entered: 02/09/1999)
02/19/1999	40	MOTION by Advanced Cardio Sys. with Proposed Order for Aldo Badini, Esq, to Appear Pro Hac Vice (lf) (Entered: 02/25/1999)
02/19/1999	41	MOTION by Advanced Cardio Sys. with Proposed Order for Helena Tavares

		Erickson, Esq. to Appear Pro Hac Vice (lf) (Entered: 02/25/1999)
02/19/1999	42	MOTION by Advanced Cardio Sys. with Proposed Order for Carol Polizzi, Esq. to Appear Pro Hac Vice (lf) (Entered: 02/25/1999)
02/22/1999	43	Answer Brief Filed by Arterial Vascular [37-1] motion to Stay action pending arbitration - Reply Brief due 3/1/99 (SEALED) (lf) (Entered: 02/25/1999)
02/22/1999	44	Declaration of John Williamson (lf) (Entered: 02/25/1999)
02/22/1999	45	Declaration of James F. Crittenden (SEALED) (lf) (Entered: 02/25/1999)
02/22/1999	46	Declaration of Richard Flink (SEALED) (lf) (Entered: 02/25/1999)
02/25/1999		So Ordered granting [42-1] motion for Carol Polizzi, Esq. to Appear Pro Hac Vice, granting [41-1] motion for Helena Tavares Erickson, Esq. to Appear Pro Hac Vice, granting [40-1] motion for Aldo Badini, Esq, to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 03/02/1999)
03/01/1999	47	Reply Brief Filed by Advanced Cardio Sys. [37-1] motion to Stay action pending arbitration (SEALED) (lf) (Entered: 03/02/1999)
03/01/1999	48	Reply Affirmation of Bruce J. Barclay (SEALED) (lf) (Entered: 03/02/1999)
03/01/1999	49	Reply Affirmation of Carol A. Polizzi (SEALED) (lf) (Entered: 03/02/1999)
03/02/1999	50	Letter dated 3/2/99 from Frederick Cottrell, Esq. to courtl Re: filing original signature page of Bruce Barclay for his reply affirmation (lf) (Entered: 03/03/1999)
03/02/1999	51	Letter dated 3/2/99 from Frederick Cottrell, Esq. to Judge RObinson; Re: ACS will rely on attached opinions during oral argument for the proposition that because Fulwider attorneys as trial attorneys are not involved in ACS's competitive decisionmaking they should not be precluded from representing their client (lf) (Entered: 03/03/1999)
04/09/1999	52	Letter dated 4/9/99 from Patricia Rogowski, Esq. to Judge Robinson; Re: supplying court with copy of persuasive 4/2/99 order issued by Chief Magistrate Judge in the Minnesotta action (lf) (Entered: 04/13/1999)
04/14/1999	53	Letter dated 4/14/99 from Frederick Cottrell, Esq. to Judge Robinson; Re: response to Medtronic's letter to the court dated 4/9/99 (lf) (Entered: 04/16/1999)
04/21/1999	54	Letter dated 4/21/99 from Patricia Rogowski, Esq. to Judge Robinson, Re: response to ACS's letter dated 4/14/99 (lf) (Entered: 04/22/1999)
06/17/1999	55	Letter dated 6/17/99 from Patricia Smink Rogowski, Esq. to Judge Robinson; Re: providing copy of order issued by District Judge Rosenbaum in Medtronic v. Advanced Cardiology in (D. Minn) (lf) (Entered: 06/21/1999)
06/22/1999	56	Letter dated 6/22/99 from Frederick Cottrell, Esq. to Judge RObinson; Re: response to Medtronics 6/17/99 letter to the court (lf) (Entered: 06/23/1999)
06/25/1999	57	Letter dated 6/25/99 from Patricia Smink Rogowski, Esq. to Judge Robinson; Re: writing on behalf of medtronic AVE, Inc to correct inaccuracy in the 6/22/99 letter to

		the court (lf) (Entered: 06/29/1999)
07/02/1999	58	Letter dated 7/2/99 from Frederick Cottrell, Jr., Esq. to Judge Robinson; Re: response to 6/25/99 letter form counsel (lf) (Entered: 07/06/1999)
07/29/1999	59	Letter dated 7/29/99 from Frederick Cottrell, Esq. to Judge Robinson; Re: for reasons stated in letter ACS's motion for a stay of this action pending arbitration should be granted (lf) (Entered: 07/30/1999)
08/05/1999	60	Letter dated 8/5/99 from Patricia Rogowski, Esq. to Judge Robinson; Re; responses to the 7/29/99 letter submitted to the court by Advanced Cardiovascular Systems (lf) (Entered: 08/06/1999)
09/09/1999	61	Letter dated 9/9/99 from Patricia S. Rogowski, Esq. to Judge Robinson; Re: Medtronic rqst that the court lift the stay of discovery entered by stipulated order in 4/98 (lf) (Entered: 09/10/1999)
09/16/1999	62	Letter dated 9/16/99 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: response to Medtronic's letter to the court of 9/9/99 (lf) (Entered: 09/20/1999)
09/30/1999	63	ORDER denying [11-1] motion to Dismiss, denying [11-2] motion to Stay the complaint as moot; pltf's motion to strike affirmative defenses and to dismiss counterclaims denied; (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 09/30/1999)
09/30/1999	65	ORDER denying [37-1] motion to Stay action pending arbitration (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 09/30/1999)
09/30/1999		CLERKS NOTE: There is no DI 64 in this case (lf) (Entered: 09/30/1999)
10/15/1999	66	MOTION by Advanced Cardio Sys. for Reconsideration of court's denial of a stay pending arbitration or in the alternative for a stay pending appeal (SEALED) (lf) (Entered: 10/19/1999)
10/15/1999	67	AFFIDAVIT by Advanced Cardio Sys. of Marga Ortigas-Wedekind (SEALED) (lf) (Entered: 10/19/1999)
10/15/1999		MOTION------FILED ON CA 98-314 AS DI 91----- by Advanced Cardio Sys. for Reconsideration of Court's 9/30/99 order (DI 90 in CA 98-314) (bkb) (Entered: 11/17/1999)
10/20/1999	68	Letter dated 10/20/99 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: ACS rqst consider emergency discovery dispute during 10/20/99 telecnf. (lf) (Entered: 10/21/1999)
10/20/1999		Tele-conference held, Robinson, J., sitting; K. Maurer (lf) (Entered: 10/21/1999)
10/21/1999	69	STIPULATION with proposed order for extension of time to respond to motion for reargument (lf) (Entered: 10/22/1999)
10/22/1999	70	ORDER, 98-80; 98-314 and 98-316 are all consolidated for all purposes (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 10/22/1999)
10/22/1999		Consolidated Lead Case; member cases are 98-314 anbd 98-316-SLR. (lf) Modified

		on 10/06/2003 (Entered: 10/22/1999)
10/25/1999		So Ordered granting [69-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 10/25/1999)
11/01/1999	71	MOTION by Advanced Cardio Sys. to preclude Discovery pending trade secret identification Answer Brief due 11/15/99 re: [71-1] motion (bkb) (Entered: 11/05/1999)
11/05/1999	72	Letter to Judge Robinson from Mr. Cottrell re clarification of Court's order of 10/22/99. (bkb) (Entered: 11/17/1999)
11/05/1999	73	Answer Brief Filed by Arterial Vascular [0-1] motion for Reconsideration of Court's 9/30/99 order (DI 90 in CA 98-314) - Reply Brief due 11/12/99 (bkb) (Entered: 11/17/1999)
11/05/1999	74	RE CA 98-314 ACTION--------ANSWER by Medtronic (f/k/a Arterial Vascular Engineering) to COMPLAINT [IN CA 98-314] and COUNTERCLAIM against Advanced Cardio Sys. ; jury demand against Advanced Cardio Sys. (bkb) (Entered: 11/17/1999)
11/05/1999	76	Answer Brief Filed by Medtronic AVE, Inc. re [66-1] motion for Reconsideration of court's denial of a stay pending arbitration or in the alternative for a stay pending appeal - Reply Brief due 11/12/99----------SEALED (bkb) (Entered: 12/01/1999)
11/08/1999	77	Letter to Clerk from Mr. DiGiovanni re filing of DI 76 (bkb) (Entered: 12/01/1999)
11/10/1999	75	Letter (11/10/99) to Judge Robinson from Ms. Rogowski re pending motions (bkb) (Entered: 11/30/1999)
11/10/1999	78	Letter (11/10/99) to Judge Robinson from Ms. Rogowski; Medtronic opposes Advanced Cardiovascular's 11/5/99 request to amend caption. (bkb) (Entered: 12/01/1999)
11/10/1999	79	Letter (11/10/99) to Judge Robinson from Ms. Rogowski re DI 66, 65 & 43. (bkb) (Entered: 12/01/1999)
11/10/1999	80	Proposed Order filed by Medtronic, denying motion for reargument & enjoinging deft. from taking arbitratino action against Medtronic. (bkb) (Entered: 12/01/1999)
11/12/1999	81	STIPULATION with proposed order ext. time till 11/29/99 for Medtronci to file resp. to DI 71 (ASC's motion to preclude discovery...) (bkb) (Entered: 12/01/1999)
11/12/1999	82	STIPULATION with proposed order ext. time till 12/9/99 for Advanced Cardiovascular to reply to Medtronic's counterclaims in CA 98-314. (bkb) (Entered: 12/01/1999)
11/12/1999	83	MOTION by Advanced Cardio Sys. with Proposed Order for Michael S. Elkind to Appear Pro Hac Vice re: [83-1] motion (bkb) (Entered: 12/01/1999)
11/15/1999		So Ordered granting [82-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (bkb) (Entered: 12/01/1999)
11/15/1999		So Ordered granting [83-1] motion for Michael S. Elkind to Appear Pro Hac Vice (

		signed by Judge Sue L. Robinson) Notice to all parties. (bkb) (Entered: 12/01/1999)
11/15/1999	84	Letter to Judge Robinson (11/15/99) in resp. to Medtronic AVE's letter of 11/10/99. (bkb) (Entered: 12/01/1999)
11/16/1999		So Ordered granting [81-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (bkb) (Entered: 12/01/1999)
11/22/1999	85	ORDER; Civil Action Nos. 98-80; 98-314 & 98-316 are consolidated for all purposes, with all pleadings & papers to be filed in 98-80; caption of the consolidated cases shall read; Medtronic AVE, Inc. v. Advanced Cardiovascular Systems, Inc. (signed by Judge Sue L. Robinson) copies to: cnsl. (bkb) (Entered: 12/01/1999)
11/29/1999	86	RESPONSE (by Medtronic) in opposition to Advanced Cardiovascular's motion to preclude discovery pending trade secret identification---------SEALED (bkb) (Entered: 12/08/1999)
12/06/1999	87	Reply Brief Filed by Advanced Cardio Sys. [71-1] motion to preclude Discovery pending trade secret identification (bkb) (Entered: 12/15/1999)
12/09/1999	88	ANSWER to counterclaims (in CA 98-314) Advanced Cardio Sys. (bkb) (Entered: 12/15/1999)
12/27/1999	89	CERTIFICATE OF SERVICE of 1st requests for production filed by Medtronic. (maw) (Entered: 12/28/1999)
12/29/1999	90	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: 1st set of rqsts for the production of documents and things (nos. 1-98) (lf) (Entered: 01/03/2000)
12/30/1999	91	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: 1st set of rqsts for the production of documents and things (nos. 1-98) (lf) (Entered: 01/03/2000)
01/19/2000	92	MOTION by Advanced Cardio Sys. with Proposed Order for Stacy Marano, Esq. to Appear Pro Hac Vice (lf) (Entered: 01/20/2000)
01/19/2000	93	MOTION by Advanced Cardio Sys. with Proposed Order for Benjamin Sokoly, Esq. to Appear Pro Hac Vice (lf) (Entered: 01/20/2000)
01/19/2000	94	MOTION by Advanced Cardio Sys. with Proposed Order for Henry Ricardo, Esq. to Appear Pro Hac Vice (lf) (Entered: 01/20/2000)
01/19/2000	95	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: Advanced Cardiovascular Systems, Inc. 2nd set of rqsts for production of documents and things (lf) (Entered: 01/20/2000)
01/21/2000		So Ordered granting [94-1] motion for Henry Ricardo, Esq. to Appear Pro Hac Vice, granting [93-1] motion for Benjamin Sokoly, Esq. to Appear Pro Hac Vice, granting [92-1] motion for Stacy Marano, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 01/21/2000)
01/24/2000	96	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: responses to Medtronic Ave Inc.'s 1st set of rqsts for production of documents and things (nos. 1-112) (lf)

		(Entered: 01/27/2000)
01/26/2000	97	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: 1st set of interrogs (nos. 1-11) (lf) (Entered: 01/27/2000)
01/31/2000	98	CERTIFICATE OF SERVICE by Arterial Vascular; Re: objections and responses to deft 1st set of rqst for production of documents and things (nos. 1-98) (lf) (Entered: 02/02/2000)
02/04/2000	99	ORDER, regarding the procedures to follow re: Discovery isputes (see order for dtails) (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 02/07/2000)
02/10/2000	100	Letter dated 2/10/00 from Patricia S. Rogowski, Esq. to Judge Robinson: Re: Deft ACS has refused to produce any documents until the court decides ACS's motion to preclude discovery pending identification of trade secrets (lf) (Entered: 02/15/2000)
02/10/2000	101	Letter dated 2/10/00 from Frederick Cottrell, Esq. to Judge Robinson; Re: writingto apprise the court of the discovery issues to be addressed at the 2/15/00 telecnf. (lf) (Entered: 02/15/2000)
02/15/2000	104	TRANSCRIPT filed for dates of 2/14/00; Rptr: B. Gaffigan (lf) (Entered: 02/17/2000)
02/16/2000	102	ORDER denying [71-1] motion to preclude Discovery pending trade secret identification (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 02/17/2000)
02/16/2000	103	Steno Notes for 2/14/00; Rptr: B. Gaffigan (lf) (Entered: 02/17/2000)
02/22/2000	105	CERTIFICATE OF SERVICE by Arterial Vascular; Re: objections and responses to defts 2nd set of rqsts for production of documents and things (nos. 100-120) (lf) (Entered: 02/25/2000)
02/23/2000	106	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: 2nd set of interrogs (nos. 12-13) (lf) (Entered: 02/25/2000)
02/28/2000	107	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Objections and responses to deft 1st set of interrogs (nos. 1-11) (lf) (Entered: 03/01/2000)
03/06/2000	108	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Pltf 1st set of interrogs to defts (nos. 1-24) (lf) (Entered: 03/07/2000)
03/16/2000	109	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; 3rd set of interrogs (nos. 14-31) (lf) (Entered: 03/21/2000)
03/21/2000	110	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Initial disclosures (lf) (Entered: 03/23/2000)
03/22/2000	111	MOTION by Medtronic AVE, Inc. for George Bardmesser, Esq. to Appear Pro Hac Vice (lf) (Entered: 03/23/2000)
03/22/2000	112	MOTION by Medtronic AVE, Inc. with Proposed Order for Peter Boyle, Esq. to Appear Pro Hac Vice (lf) (Entered: 03/23/2000)

03/22/2000	113	MOTION by Medtronic AVE, Inc. for Daniel Carlineo, Esq. to Appear Pro Hac Vice (lf) (Entered: 03/23/2000)
03/22/2000	114	MOTION by Medtronic AVE, Inc. for R. Tyler Goodwyn, Esq. to Appear Pro Hac Vice (lf) (Entered: 03/23/2000)
03/22/2000	115	MOTION by Medtronic AVE, Inc. for Halley Sexter, Eq. to Appear Pro Hac Vice (lf) (Entered: 03/23/2000)
03/23/2000		So Ordered granting [115-1] motion for Halley Sexter, Eq. to Appear Pro Hac Vice, granting [114-1] motion for R. Tyler Goodwyn, Esq. to Appear Pro Hac Vice, granting [113-1] motion for Daniel Carlineo, Esq. to Appear Pro Hac Vice, granting [112-1] motion for Peter Boyle, Esq. to Appear Pro Hac Vice, granting [111-1] motion for George Bardmesser, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 03/24/2000)
03/23/2000	116	CERTIFICATE OF SERVICE by Arterial Vascular; Initial disclosure (lf) (Entered: 03/24/2000)
03/23/2000	117	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re; second set of interrogs (no. 25) (lf) (Entered: 03/24/2000)
03/24/2000	118	NOTICE of withdrawal of motion for reargument by Advanced Cardio Sys. (lf) (Entered: 03/27/2000)
03/27/2000	119	Letter dated 3/27/00 from Fredrick Cottrell, Esq. to Judge Robinson; Re: filing notice of appeal (lf) (Entered: 03/29/2000)
03/27/2000	120	NOTICE OF APPEAL by Advanced Cardio Sys. [65-1] order . Time: 3:59pm Fee Status: paid (lf) (Entered: 03/29/2000)
03/30/2000	121	Letter dated 3/30/00 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: although motion for a stay pending appeal is still before the court, ACS intends to file a motion for stay pending appeal (lf) (Entered: 03/31/2000)
03/30/2000	122	Steno Notes for 3/28/00; Rptr: K. Maurer (lf) (Entered: 03/31/2000)
03/31/2000	123	Letter dated 3/31/00 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: agenda for 4/6/00 telecnf. (attaching chart showing two parties areas of agreement and disagreement on a case scheduled (lf) (Entered: 04/03/2000)
04/03/2000		Notice of appeal and certified copy of docket to USCA: [120-1] appeal by Advanced Cardio Sys. (dab) (Entered: 04/03/2000)
04/03/2000		copies to The Honorable Sue L. Robinson, Patricia Smink Rogowski, Frederick L. Cottrell, III (dab) (Entered: 04/03/2000)
04/06/2000	124	Letter dated 4/6/00 from Frederick Cottrell, III, Esq. to deputy clerk, L. Friedkin; Re: supplying court with executed copy of 3/31/00 letter to the court (lf) (Entered: 04/07/2000)
04/06/2000		Tele-conference held, Robinson, J., sitting; Rptr: B. Gaffigan (lf) (Entered: 04/12/2000)

04/07/2000		NOTICE of Docketing ROA from USCA Re: [120-1] appeal by Advanced Cardio Sys. USCA NUMBER: 00-5230 (lf) (Entered: 04/11/2000)
04/07/2000	125	Steno Notes for 4/6/00; Rptr: B. Gaffigan (lf) (Entered: 04/11/2000)
04/07/2000	126	MOTION by Medtronic AVE, Inc. with Proposed Order for Joseph Brooks, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/11/2000)
04/07/2000	127	MOTION by Medtronic AVE, Inc. with Proposed Order for Edgar H. Martin, Esq. to Appear Pro Hac Vice (lf) (Entered: 04/11/2000)
04/10/2000	128	Transcript requested [120-1] appeal by Advanced Cardio Sys. ; Transcript already on file in the D.C. Clerk's office (lf) (Entered: 04/11/2000)
04/10/2000	129	CERTIFICATE OF SERVICE by Medtronic AVE, Inc. Re: objecitons and responses to deft Advanced Cardiovascular Systems Inc. 2nd set of interrogs (nos. 12-13) (lf) (Entered: 04/12/2000)
04/11/2000	130	TRANSCRIPT filed for dates of 4/6/00; Rptr: B. gaffigan (lf) (Entered: 04/12/2000)
04/12/2000		So Ordered granting [127-1] motion for Edgar H. Martin, Esq. to Appear Pro Hac Vice, granting [126-1] motion for Joseph Brooks, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 04/17/2000)
04/14/2000	131	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: Responses to 1st set of interrogs of Medtronic AVE, Inc. (lf) (Entered: 04/17/2000)
04/18/2000	132	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Objections and responses to deft's 3rd set of interrogs (nos. 14-31) (lf) (Entered: 04/20/2000)
04/20/2000	133	JUDGMENT OF USCA (certified copy) Re: motion to file under seal is granted (lf) (Entered: 04/24/2000)
04/24/2000	134	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: response to the 2nd set of interrogs (lf) (Entered: 04/27/2000)
04/25/2000		Certified and transmitted certified list in lieu of record to U.S. Court of Appeals: [120-1] appeal by Advanced Cardio Sys. Record is ready for appeal purposes. (dab) (Entered: 04/25/2000)
04/26/2000	135	CERTIFICATE OF SERVICE by Medtronic AVE, Inc. objections and responses to deft's 3rd set of interrogs (nos. 14-31) (lf) (Entered: 04/28/2000)
04/27/2000	136	CERTIFICATE OF SERVICE by Advanced Cardio Sys.re: Subpoena on Dr. Simon Stertzer for the production of documents and things (lf) (Entered: 04/28/2000)
04/27/2000	137	CERTIFICATE OF SERVICE by Advanced Cardio Sys. Subpoena on Michael Boneau for the production of documents and things (lf) (Entered: 04/28/2000)
05/05/2000	139	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Pltf's 3rd set of interrogs to deft (nos. 26-28) (lf) (Entered: 05/11/2000)
05/08/2000	138	Return Acknowledgment of certified copy of docket entries and certified list in lieu of

		record with Transcript Purchase order (lf) (Entered: 05/11/2000)
05/08/2000	140	Letter dated 5/8/00 from Patricia S. Rogowski, Esq. to Judge Robinson; Re: filing new proposed scheduling order (lf) (Entered: 05/11/2000)
05/08/2000	141	Proposed Scheduling Order filed by Arterial Vascular, Advanced Cardio Sys., Medtronic AVE, Inc. (lf) (Entered: 05/11/2000)
05/09/2000	142	MOTION by Advanced Cardio Sys. with Proposed Order for Ronald Perez, Esq. to Appear Pro Hac Vice (lf) (Entered: 05/11/2000)
05/10/2000	143	JUDGMENT OF USCA (certified copy) Re: motion to stay proceedings pending appeal and accompanying briefs referred to the merits panel (lf) (Entered: 05/12/2000)
05/10/2000	144	JUDGMENT OF USCA (certified copy) Re: motion to file under seal memo in opposition to appellant's motion for a stay of proceeding is granted (lf) (Entered: 05/12/2000)
05/15/2000		So Ordered [141-1] proposed order (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 05/16/2000)
05/15/2000		So Ordered granting [142-1] motion for Ronald Perez, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 05/16/2000)
05/16/2000		Deadline updated; set Scheduling Order Deadlines: joining of parties, amended pleadings on 5/17/00 Discovery deadline on 8/25/00 Deadline for filing dispositive motions by 12/1/00 Pretrial conference by 4/12/01 Trial Date Deadline 4/23/01 (lf) (Entered: 05/16/2000)
05/17/2000	146	STIPULATION with proposed order for motions to join and amend pleadings to be filed on 5/22/00 (lf) (Entered: 05/22/2000)
05/18/2000	145	ORDER, telecnf. scheduled for 6/8/00 to discuss the scheduling of settlement cnf. (signed by Judge Mary P. Thynge) copies to: cnsl (lf) (Entered: 05/22/2000)
05/18/2000	147	NOTICE of change of address of the law firm - FULWIDER PATTON LEE & UTECHT, LLP (lf) (Entered: 05/22/2000)
05/22/2000	148	STIPULATION with proposed order; Revising scheduling order to reflect fact discovery deadline extended to 9/19/00; joinder and amendment of pleadings extended to 6/19/00 (lf) (Entered: 05/24/2000)
05/23/2000	149	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; 2nd set of rqsts for production of documents and things to deft (nos. 113-144) (lf) (Entered: 05/26/2000)
05/23/2000		So Ordered granting [146-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 05/26/2000)
05/30/2000		So Ordered granting [148-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 05/31/2000)
06/05/2000	150	CERTIFICATE OF SERVICE by Advanced Cardio Sys. Re: responses to the 3rd set of interrogs of Medtronic (nos. 26-28) ` (lf) (Entered: 06/06/2000)

06/07/2000	151	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Subpoena to Custodian of Records Heller, Ehrman, White & McAuliffe (lf) (Entered: 06/09/2000)
06/07/2000	152	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Subpoena to Bruce Barclay (lf) (Entered: 06/09/2000)
06/07/2000	153	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Subpoena to Amalco Metals, Inc. (lf) (Entered: 06/09/2000)
06/07/2000	154	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Subpoena to Avegel Hernando (lf) (Entered: 06/09/2000)
06/07/2000	155	CERTIFICATE OF SERVICE by Medtronic AVE, Inc. subpoena to custodian of records for Fulwider Patton Lee and Utechm LLP (lf) (Entered: 06/09/2000)
06/07/2000	156	CERTIFICATE OF SERVICE by Medtronic AVE, Inc. subpoena for William Hartigan (lf) (Entered: 06/09/2000)
06/08/2000	157	ORDER, telecnf. scheduled for 12/11/00 to discuss status of case (signed by Judge Mary P. Thynge) copies to: cnsl (lf) (Entered: 06/09/2000)
06/09/2000	158	MOTION by W.L. Gore & Assoc. for Protective Order (lf) (Entered: 06/09/2000)
06/09/2000	159	Opening Brief Filed by W.L. Gore & Assoc. [158-1] motion for Protective Order - Answer Brief due 6/23/00 (lf) (Entered: 06/09/2000)
06/09/2000	160	AFFIDAVIT by W.L. Gore & Assoc. of John S. Campbell (lf) (Entered: 06/09/2000)
06/09/2000	161	AFFIDAVIT by W.L. Gore & Assoc. of John Sininger (lf) (Entered: 06/09/2000)
06/13/2000	162	Letter dated 6/13/00 from Jeffrey Moyer, Esq. to Judge Robinson; Re; submitting letter outlining matters to be discussed during the 6/14/00 telecnf. (lf) (Entered: 06/14/2000)
06/13/2000	163	Letter dated 6/13/00 from Pat Rogowski, Esq. to Judge RObinson; Re: identifying issues to be discussed during the 6/14/00 telecnf. (lf) (Entered: 06/14/2000)
06/14/2000		Tele-conference held, RObinson, J., sitting; Rptr: K. Maurer (lf) (Entered: 06/20/2000)
06/15/2000	164	STIPULATION and proposed order amending scheduling order amendment of pleadings due 6/29/00 (lf) (Entered: 06/19/2000)
06/19/2000		So Ordered granting [164-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 06/21/2000)
06/20/2000	165	TRANSCRIPT filed for dates of 6/14/00; Rptr: K. Maurer (lf) (Entered: 06/20/2000)
06/20/2000	166	Steno Notes for 6/14/00; Rptr: K. Maurer (lf) (Entered: 06/20/2000)
06/23/2000	167	STIPULATION with proposed order for WL Gore to file opposition to motion for a protective order by 7/11/00 (lf) (Entered: 06/27/2000)
06/27/2000	168	CERTIFICATE OF SERVICE by Advanced Cardio Sys. responses to Medtronic AVE, Inc's 2nd set of rqsts for production of documents and things (nos. 113-144) (lf) (Entered: 06/28/2000)

06/28/2000	169	Answer Brief Filed by Medtronic AVE, Inc. [158-1] motion for Protective Order - Reply Brief due 7/5/00 (SEALED) (lf) (Entered: 06/29/2000)
06/28/2000	170	Appendix to Brief Filed by Medtronic AVE, Inc. Appending [169-1] answer brief (SEALED) (lf) (Entered: 06/29/2000)
06/28/2000		So Ordered granting [167-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 06/30/2000)
06/29/2000	171	ORDER, pltf rqst for production of ACS' pending applications which claim the same priority as ACS' patents in suit is DENIED (signed by Judge Sue L. Robinson) copies to: cnsl (lf) (Entered: 06/30/2000)
06/29/2000	172	STIPULATION with proposed order extending deadline of amendment of pleadings to 7/25/00 (lf) (Entered: 06/30/2000)
06/30/2000		So Ordered granting [172-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 07/05/2000)
07/07/2000	180	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Subpoena of Dr. Azam Anwar (lf) (Entered: 07/18/2000)
07/10/2000	173	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Subpoena of Carpenter Technology Corp. and W.L. Gors Associates (lf) (Entered: 07/18/2000)
07/10/2000	174	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Subpoena for George Cooper, Esq. (lf) (Entered: 07/18/2000)
07/10/2000	175	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Subpoena for Cifton Thompson, Esq. (lf) (Entered: 07/18/2000)
07/10/2000	176	CERTIFICATE OF SERVICE by Medtronic AVE, Inc. subpoena for Michi Garrison (lf) (Entered: 07/18/2000)
07/10/2000	177	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: subpoena for Barry Davidson (lf) (Entered: 07/18/2000)
07/11/2000	178	Reply Brief Filed by W.L. Gore & Assoc. [158-1] motion for Protective Order (lf) (Entered: 07/18/2000)
07/13/2000	179	Letter dated 7/13/00 from Patricia Rogowski, Esq. to Judge Robinson; Re: Rqst oral argument on motion for a protective order (lf) (Entered: 07/18/2000)
07/14/2000	181	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Subpoena in a civil case to Crosby, Heafy, Roach & May; to John Frantzen; to Farhad Khrosravi; to David Larwood; to Lilip Lau; to David Makous to Michael Orth and to Wilfred Samson (lf) (Entered: 07/19/2000)
07/19/2000	182	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Pltf's 3rd set of rqsts for production of documents and things (nos. 145-147) (lf) (Entered: 07/21/2000)
07/21/2000	183	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: 4th set of interrogs (nos.

		32-34) (lf) (Entered: 07/24/2000)
07/25/2000	184	CERTIFICATE OF SERVICE by Medtronic AVE, Inc. Re: Notice of depositions of Advanced Cardiovascular Systems andFulwider Patton Lee and Utecht (lf) (Entered: 07/28/2000)
07/25/2000	185	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Notices of depositions of Bruce Barclay, Beverly Huss, Farhad Khosravi, Elizabeth McDermott, Michael Orth, Wilfred Samson, Gary Schneiderman and Carl Simpson (lf) (Entered: 07/28/2000)
07/25/2000	186	STIPULATION with proposed order for motions to join and amend pleadings deadlines extended to 8/9/00 (lf) (Entered: 07/28/2000)
07/25/2000	187	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: Supplemental responses to Medtronic's 2nd set of rqsts for production of documents and things (nos. 133-134) (lf) (Entered: 07/28/2000)
07/31/2000	188	Letter dated 7/31/00 from Frederick Cottrell, III, Esq. to judge Robinson; Re: filing proposed protective order (lf) (Entered: 08/02/2000)
07/31/2000	189	Proposed Protective Order filed by Arterial Vascular, Advanced Cardio Sys., Medtronic AVE, Inc. (lf) (Entered: 08/02/2000)
08/01/2000		So Ordered granting [186-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 08/01/2000)
08/02/2000		So Ordered [189-1] proposed order (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 08/07/2000)
08/03/2000	190	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Subpoena in a civil case for Bruce Barclay, Farhad Khosravi and Michael Orth (lf) (Entered: 08/07/2000)
08/04/2000	191	Letter dated 8/4/00 from Frederick Cottrell, Esq. to Judge Robinson; Re: submitting letter outlining key issues to be discussed during 8/7/00 telecnf. (lf) (Entered: 08/07/2000)
08/04/2000	192	Letter dated 8/4/00 from Patricia Smink Rogowski, Esq. to Judge RObinson; Re: submitting agenda as to what issues will be discussed during 8/7/00 hearing (lf) (Entered: 08/07/2000)
08/07/2000		Tele-conference held, Robinson, J., sitting Rptr: B. gaffigna (lf) (Entered: 08/07/2000)
08/07/2000	193	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Re: Notice of deposition (lf) (Entered: 08/08/2000)
08/09/2000	194	Steno Notes for 8/7/00; Rptr: B. Gaffigna (lf) (Entered: 08/10/2000)
08/09/2000	195	NOTICE of WITHDRAWAL OF MOTION FOR REARGUMENT by Advanced Cardio Sys. (lf) (Entered: 08/10/2000)
08/09/2000	196	TRANSCRIPT filed [0-0] telephone conference for dates of 8/7/00; Rptr: B. Gaffigan (lf) (Entered: 08/10/2000)

08/10/2000	197	STIPULATION with proposed order for motions to join and amend pleadings by 8/23/00 (lf) (Entered: 08/10/2000)
08/10/2000		So Ordered granting [197-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 08/15/2000)
08/14/2000	198	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Subpoena in a civil case for John Frantzen, William Hartigan, Lilip Lau, and Sharon Lam Wang (lf) (Entered: 08/16/2000)
08/15/2000	199	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: subpoena of Matthew Birdsall (lf) (Entered: 08/16/2000)
08/15/2000	200	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: Subpoena to Bradley Jendersee (lf) (Entered: 08/16/2000)
08/15/2000	201	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: Subpoena to Kevin Bedsole (lf) (Entered: 08/16/2000)
08/17/2000	202	Letter dated 8/17/00 from Patricia S. ROgowski, Esq. to Judge RObinson; Re: rqst guidance as to discovery issue (lf) (Entered: 08/18/2000)
08/17/2000	203	CERTIFICATE OF SERVICE by Arterial Vascular; Re: Deposition of deft (lf) (Entered: 08/18/2000)
08/18/2000	204	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Subpoena and notice of deposition of Mr. Benito Hidalgo on 9/12/00 and subpoena and notice of deposition to Dr. Azam Anwar for 9/13/00 (lf) (Entered: 08/24/2000)
08/18/2000	205	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Re: responses to Medtronic AVE, Inc's 3rd set of rqsts for production of documents (nos. 145-147) (lf) (Entered: 08/24/2000)
08/18/2000	206	NOTICE by Advanced Cardio Sys. to take deposition of Michael Boneau on 8/30/00 (lf) (Entered: 08/24/2000)
08/22/2000	207	Letter dated 8/22/00 from Frederick Cottrell, Jr., Esq. to Judge RObinson; Re: response to court's invitation to address the objections which the parties anticipate may arise during deposition of Dr. Gary Schneiderman (lf) (Entered: 08/24/2000)
08/22/2000	208	CERTIFICATE OF SERVICE by Advanced Cardio Sys. ; Re: Subpoena of James Eakin, Esq. (lf) (Entered: 08/24/2000)
08/22/2000	209	CERTIFICATE OF SERVICE by Advanced Cardio Sys.; Subpoena to custodian of records for McDermott, Will and Emery (lf) (Entered: 08/24/2000)
08/22/2000	210	CERTIFICATE OF SERVICE by Arterial Vascular; objections and responses to defts 3rd set of rqsts for production of documents and things (nos. 121-132) (lf) (Entered: 08/24/2000)
08/23/2000	211	STIPULATION with proposed order for motion to join and to amend pleadings be filed 9/13/00 (lf) (Entered: 08/29/2000)

08/29/2000		So Ordered granting [211-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 09/01/2000)
08/29/2000	212	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Objections and responses to defts 4th set of interrogs (nos. 32-34) (lf) (Entered: 09/01/2000)
08/31/2000	213	NOTICE by Advanced Cardio Sys. to take deposition of Medtronic AVE employees on 9/12/00 - 10/31/00 (lf) (Entered: 09/06/2000)
08/31/2000	214	NOTICE of objections to Notice of deposition of Advanced Cardiovascular Systems, Inc. noticed on 8/4/00 by Advanced Cardio Sys. (lf) (Entered: 09/06/2000)
08/31/2000	215	NOTICE of Objections to notice of deposition of Advanced Cardiovascular Systems, Inc. noticed on 8/15/00 by Advanced Cardio Sys. (lf) (Entered: 09/06/2000)
09/05/2000	216	Letter dated 9/5/00 from Frederick Cottrell, III, Esq. to Judge Robinson; Re; outlining agenda for 9/6/00 telecnf. (lf) (Entered: 09/11/2000)
09/05/2000	217	Letter dated 9/5/00 from Patricia Rogowski, Esq. to Judge Robinson; Re: agenda for 9/6/00 telecnf. (lf) (Entered: 09/11/2000)
09/06/2000	218	MOTION by Advanced Cardio Sys. with Proposed Order for David Pitman, Esq. to Appear Pro Hac Vice (lf) (Entered: 09/11/2000)
09/06/2000		Tele-conference held, Robinson, J., sitting; Rptr; V> Guning (lf) (Entered: 09/11/2000)
09/08/2000	219	TRANSCRIPT filed for dates of 9/6/00; Rptr: V. Gunning (lf) (Entered: 09/11/2000)
09/08/2000	220	NOTICE by Advanced Cardio Sys. to take deposition of Medtronic AVE, Inc. on 9/22/00 (lf) (Entered: 09/12/2000)
09/08/2000	221	NOTICE by Advanced Cardio Sys. to take deposition of Medtronic AVE, Inc. on 9/29/00 (lf) (Entered: 09/12/2000)
09/08/2000	222	NOTICE by Advanced Cardio Sys. to take deposition of Robert Lashinski on 9/27/00 (lf) (Entered: 09/12/2000)
09/08/2000	223	NOTICE by Advanced Cardio Sys. to take deposition of Medtronic AVE, Inc. on 9/19/00 (lf) (Entered: 09/12/2000)
09/08/2000	224	MOTION by Medtronic AVE, Inc. with Proposed Order for Protective Order allowing redaction of limited information from manufacturing process documents (lf) (Entered: 09/12/2000)
09/08/2000	225	Opening Brief Filed by Medtronic AVE, Inc. [224-1] motion for Protective Order allowing redaction of limited information from manufacturing process documents - Answer Brief due 9/22/00 (lf) (Entered: 09/12/2000)
09/08/2000	252	Letter to Judge Robinson from F. DiGiovanni enclosing certain documents for in camera inspection in connection with 9/6/2000 telecnf.; matter more fully described in DI#225. (fmt) (Entered: 07/15/2002)
09/11/2000		So Ordered granting [218-1] motion for David Pitman, Esq. to Appear Pro Hac Vice (

		signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 09/14/2000)
09/13/2000	226	Letter dated 9/13/00 from Patricia S. Rogowski, Esq. to Judge Robinson; Re: rqst that court rule on motion for protective order (lf) (Entered: 09/14/2000)
09/13/2000	227	Letter dated 9/13/00 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: filing courtesy copies ACS's opposition to AVE's motion for protective order (lf) (Entered: 09/14/2000)
09/13/2000	228	RESPONSE by Advanced Cardio Sys. in opposition to [224-1] motion for Protective Order allowing redaction of limited information from manufacturing process documents (SEALED) (lf) (Entered: 09/14/2000)
09/13/2000	229	Declaration of Paul O'Brien (SEALED) (lf) (Entered: 09/14/2000)
09/13/2000	230	Declaration of K.T. Venkateswara-Rao (SEALED) (lf) (Entered: 09/14/2000)
09/13/2000	231	NOTICE of record from USDC District of Columbia (Gore's objections to subpoena transferred from USDC District of Columbia) (lf) (Entered: 09/14/2000)
09/13/2000	232	STIPULATION with proposed order; Re: motions to join other parties and amend pleadings due 9/20/00 (lf) (Entered: 09/14/2000)
09/14/2000		So Ordered granting [232-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 09/18/2000)
09/14/2000	233	Letter dated 9/14/00 from Patricia S. Rogowski, Esq. to Judge Robinson; Re: medtronic AVE write to briefly correct apparent minunderstanding included in ACS's opposition to AVE's motion for protective order (lf) (Entered: 09/18/2000)
09/18/2000	234	CERTIFICATE OF SERVICE by Medtronic AVE, Inc.; Objections and responses to deft ACS subpoena in a civil case to Robert Lashinski; Medtronic objections and responses to defts ACS subpoena in a civil case to Kevin Bedsole; Kevin Bedsole objections and responses to deft ACS subpoena in a civl case and Robert Lashinski's objections and responses to defts ACS's subpoena in a civil case (lf) (Entered: 09/22/2000)
09/20/2000	235	STIPULATION with proposed order for all motions to join other parties and amend due by 9/27/00 (lf) (Entered: 09/22/2000)
09/22/2000		So Ordered granting [235-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 09/27/2000)
09/28/2000	236	STIPULATION with proposed order for motions to join other parties and amend pleadings by 10/4/00 (lf) (Entered: 10/03/2000)
10/03/2000		So Ordered granting [236-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 10/10/2000)
10/04/2000	237	STIPULATION and proposed order that all motions to join other parties and amend pleadings shall be filed on or before 10/11/00 (lf) (Entered: 10/10/2000)
10/05/2000	238	Letter dated 10/5/00 from Frederick Cottrell, III, Esq. to Judge Robinson; Re: ACS

		rqst that court vacate 9/29/00 order in 98-314 (lf) (Entered: 10/11/2000)
10/10/2000		So Ordered granting [237-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 10/11/2000)
10/11/2000	239	STIPULATION with proposed order for all motions to join and amend pleadings extended to 10/25/00 (lf) (Entered: 10/12/2000)
10/25/2000	240	STIPULATION with proposed order; Re: motions to join other parties and amend pleadings due 11/1/00 (lf) (Entered: 10/26/2000)
10/27/2000		So Ordered granting [240-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (lf) (Entered: 10/27/2000)
11/01/2000	241	STIPULATION with proposed order ext. tim e till 11/8/00 for filing of motions to join other parties & amend pleadings. (bkb) (Entered: 11/06/2000)
11/08/2000		So Ordered granting [241-1] stipulation reset Scheduling Order Deadlines: joining of parties, amended pleadings on 11/8/00 (signed by Judge Sue L. Robinson) Notice to all parties. (bkb) (Entered: 11/09/2000)
11/08/2000	242	STIPULATION with proposed order ext. till 11/10/00 time to file motions to join other parties and amend pleadings. (bkb) (Entered: 11/09/2000)
11/09/2000		So Ordered granting [242-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (bkb) (Entered: 11/13/2000)
11/09/2000		Deadline updated; reset Scheduling Order Deadlines: joining of parties, amended pleadings on 11/13/00 (bkb) (Entered: 11/13/2000)
11/09/2000	243	Letter to Judge Robinson from Mr. Cottrell re joint motion to amend pleadings & to stay proceedings and stay of this litigation. (bkb) (Entered: 11/13/2000)
11/09/2000	244	JOINT MOTION by Arterial Vascular, Advanced Cardio Sys. to Amend Pleadings , and to Stay Proceedings re: [244-1] joint motion, re: [244-2] joint motion (bkb) (Entered: 11/13/2000)
11/09/2000	245	STIPULATION, with proposed order, staying all proceedings until 8/31/02 or until final resolution of the 2 appeals referenced in the stip.; cases (CA 98-80; 98-314 & 98-316) shall be administratively closed until that date. see stip. for further details. (bkb) Modified on 11/16/2000 (Entered: 11/13/2000)
11/15/2000		So Ordered granting [245-1] stipulation (signed by Judge Sue L. Robinson) Notice to all parties. (bkb) (Entered: 11/16/2000)
11/15/2000		Case closed (bkb) (Entered: 11/16/2000)
12/01/2000	246	ORDER, set Telephone Conference for 4:00 12/11/00 (signed by Judge Mary P. Thynge) copies to: cnsl. (bkb) (Entered: 12/11/2000)
04/19/2001	248	Letter to Judge Robinson from M. Waldron, Clerk of USCA, attaching corrections to be made to the slip opinion filed on 4/17/01 (USCA Docket No. 00-5230) for CA Nos. 98-80, 98-314, 98-316. (rld) Modified on 07/17/2001 (Entered: 07/17/2001)

04/19/2001	249	ORDER AMENDING OPINION OF 4/17/01 of USCA for the Third Circuit; noting that the words "releases" and "discharges" appearing on page four should not appear in italicized print. (rld) (Entered: 07/17/2001)
05/14/2001	250	JUDGMENT and OPINION OF USCA (certified copy) Re: CA Nos. 98-80, 98-314, 98-316 (USCA Docket No. 00-5230); Adjudged and Ordered that the Order entered on 9/30/99 is hereby affirmed all in accordance with the opinion of this court; dated 4/17/01. (rld) Modified on 07/17/2001 (Entered: 07/17/2001)
05/30/2001	247	MOTION by Medtronic AVE, Inc. with Proposed Order for Raphael V. Lupo, Donna M. Tanguay, Mark G. Davis, and Natalia V. Blinkova to Appear Pro Hac Vice (rld) (Entered: 06/05/2001)
06/06/2001		So Ordered granting [247-1] motion for Raphael V. Lupo, Donna M. Tanguay, Mark G. Davis, and Natalia V. Blinkova to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 06/06/2001)
02/05/2002	251	STIPULATION Modifying Protective Order with proposed order (rld) (Entered: 02/06/2002)
02/05/2002		Case reopened (rld) (Entered: 02/06/2002)
02/06/2002		So Ordered granting [251-1] stipulation MODIFYING PROTECTIVE ORDER (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 02/06/2002)
02/06/2002		Case closed (rld) (Entered: 02/06/2002)
08/30/2002	253	STIPULATION to extend the stay currently in place in this case; with proposed order (rld) (Entered: 08/30/2002)
09/03/2002		So Ordered granting [253-1] stipulation to extend time of the stay currently in place is extended through 3/3/2003(signed by Judge Sue L. Robinson) Notice to all parties. (fmt) (Entered: 09/03/2002)
03/20/2003	254	Letter to Judge Robinson from P. Smink Rogowski re stay; stay has expired and Court requested a status letter; both parties retained new lead counsel; parties are conferring on the extent amendments may be required to update the pleadings and on dates for a proposed scheduling order to submit to the Court; should the parties not reach agreement will contact the Court to arrange for a telephone conf. (fmt) (Entered: 03/21/2003)
03/20/2003		Case reopened (rld) (Entered: 08/04/2003)
05/09/2003	255	**Terminated attorney Patricia Smink Rogowski for Medtronic AVE, Inc. Notice of attorney appearance for Medtronic AVE, Inc. by Philip Henry Bangle (rld) (Entered: 05/09/2003)
06/16/2003	256	ORDER DIRECTING RETURN of SEALED DOCUMENTS to the Parties (signed by Judge Sue L. Robinson) copies to: cnsl (fmt) (Entered: 06/16/2003)
07/09/2003	257	Letter to Clerk from F. Cottrell, III re Clerk's letter dated 7/7/03; the case was placed

		on administrative closure for an extended period of time; the stay is now over and the case will proceed forward; file should not be sent to the National Archives and Records Center; ask to keep all confidential filings under seal (fmt) (Entered: 07/09/2003)
07/10/2003	258	Letter to Clerk from K. Jacobs Louden re D.I. # 257; pltf. Arterial Vascular Engineering, Inc. concurs that the case is proceeding forward; case file should not be archived (fmt) (Entered: 07/11/2003)
08/01/2003	259	Letter to cnsl. from Clerk of the Court stating that shipment of sealed documents to archives will be placed on hold as the stay in this case has been lifted. (rld) (Entered: 08/04/2003)
08/08/2003	260	ORDER, set Tele-Scheduling Conference for 9:00 9/3/03 (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 08/08/2003)
08/28/2003	261	ORDER, set In-person scheduling Conference for 9:00 9/3/03 , terminated deadlines; canceled Teleconf. for 9/3/03 at 9:00 (signed by Judge Sue L. Robinson) copies to: cnsl (fmt) Modified on 08/28/2003 (Entered: 08/28/2003)
09/02/2003	263	Letter to Judge Robinson from P. Bangle re scheduling conference (fmt) Modified on 09/04/2003 (Entered: 09/04/2003)
09/03/2003	262	Notice of Deficiency from the court to plaintiff Medtronic AVE, Inc. ; letter dated 9/2/03 (original filed in 03-402); the letter was captioned with 98-80-SLR as well; need an original filed in this case (fmt) (Entered: 09/03/2003)
09/03/2003		Scheduling Conference held; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 09/03/2003)
09/03/2003		Hearing held; Judge Robinson presiding; Court Rptr. V. Gunning; re Medtronic/Cordis agreement and Arb. Provisions (fmt) (Entered: 09/04/2003)
09/04/2003	264	Letter to Deputy Clerk Tassone from P. Bangle enclosing original letter (D.I. # 263) pursuant to notices; not resending the letters to other people who were copied on the letter (fmt) (Entered: 09/04/2003)
09/04/2003	265	TRANSCRIPT filed [0-0] Scheduling conference for dates of 9/3/03; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 09/05/2003)
09/11/2003	266	**Terminated attorney Patricia Smink Rogowski for Arterial Vascular Notice of attorney appearance for Arterial Vascular by Karen Jacobs Louden; Medtronic, Inc. acquired AVE, Inc. in January 1999, Medtronic, AVE is the name of the resulting entity (rld) (Entered: 09/12/2003)
10/03/2003	267	STIPULATION re amended complaints; with proposed order (fmt) (Entered: 10/03/2003)
10/03/2003	268	Letter to Clerk from P. Bangle enclosing blacklined versions of D.I. #s 269 and 270 (fmt) (Entered: 10/06/2003)
10/03/2003	269	Second AMENDED and Supplemental COMPLAINT by Medtronic AVE, Inc. , Medtronic USA Inc, against Guidant Sales (fmt) (Entered: 10/07/2003)

10/03/2003	270	Amended ANSWER and COUNTERCLAIMS of Medtronic Vascular, Inc. and Medtronic USA, Inc. to Amended and Supplemental Complaint of Advanced Cardiovascular Systems, Inc. and Guidant Sales Corporation; jury demand against Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 10/07/2003)
10/06/2003		So Ordered granting [267-1] stipulation-all parties may file amended complaints by 10/3/03 (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 10/06/2003)
10/06/2003	271	Second AMENDED and Supplemental COMPLAINT and Demand for Jury Trial (fmt) (Entered: 10/07/2003)
10/07/2003	272	NOTICE of Name Change by Medtronic Vascular; Medtronic AVE, Inc. has changed its name to Medtronic Vascular, Inc. (fmt) (Entered: 10/07/2003)
10/10/2003	273	Letter to Judge Robinson from P. Bangle enclosing a proposed Scheduling Order reflecting the decisions made by the court at the scheduling conf. on 9/3/03 (fmt) (Entered: 10/10/2003)
10/10/2003	274	Proposed Scheduling Order filed (fmt) (Entered: 10/10/2003)
10/15/2003		So Ordered [274-1] proposed order set Scheduling Order Deadlines: joining of parties, amended pleadings on 2/19/04 Discovery deadline on 7/22/04 Deadline for filing dispositive motions by 8/5/04; , a teleconference re the filed summary jgm. motions shall be initiated by pltf.'s cnsl. on 8/12/04; answering briefs due 9/2/04; reply briefs due 9/16/04; Pretrial conference by 1:00 1/6/05; Jury Trial Date Deadline 9:30 1/24/05 , and set Motion in limine Filing deadline to 11/17/04; responses due 12/1/04 , set 1st of three Discovery Hearing for 4:30 11/18/03; (2nd) for 2/17/04; and 3/24/04 all three to begin at 4:30 p.m. with a half-hour for each party , set Oral Argument re summary jgm. for 1:00 10/21/04 set Brief deadline to 7/29/04 for parties to submit joint claim construction statement; opening briefs due 8/5/04; answering briefs due 9/2/04 matter referred to Mag. Judge Thynge for purpose of exploring settlement(signed by Judge Sue L. Robinson) Notice to all parties. (rld) Modified on 10/20/2003 (Entered: 10/17/2003)
10/15/2003		Deadline updated; set Telephone Conference for 8/12/04 to be initiated by pltf.'s cnsl. per D.I. 274 re summary jgm. motions; no time given (rld) (Entered: 10/20/2003)
10/20/2003	275	ANSWER to Second amended and Supplemental complaint and COUNTERCLAIM by Advanced Cardio Sys., Guidant Sales against Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 10/20/2003)
10/20/2003	276	STIPULATION re response to counterclaim deadlines; with proposed order (fmt) (Entered: 10/20/2003)
10/20/2003	277	Second Amended ANSWER to amended complaint and COUNTERCLAIM jury demand against Advanced Cardio Sys., Guidant Sales by Medtronic Vascular, Inc. and Medtronic USA, Inc. (fmt) (Entered: 10/21/2003)
10/21/2003	278	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for J.

		Michael Jakes, Esq. Gerald F. Ivey, Esq., Michael A. Morin, Esq., and Andrew J. Vance, Esq. to Appear Pro Hac Vice (fmt) (Entered: 10/21/2003)
10/22/2003		So Ordered granting [276-1] stipulation ASC shall respond to any counterclaims set forth in pltfs.' answer to ASC's 2nd amended and supplemental complaint which pltf. shall serve by 10/20/03 (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 10/22/2003)
10/22/2003		So Ordered granting [278-1] motion for J. Michael Jakes, Esq. Gerald F. Ivey, Esq., Michael A. Morin, Esq., and Andrew J. Vance, Esq. to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 10/22/2003)
10/22/2003	279	ORDER setting teleconf. for 12/5/03 at 9:00 a.m. (signed by Judge Mary P. Thynge) copies to: cnsl. (rld) (Entered: 10/23/2003)
11/03/2003	280	ANSWER by Advanced Cardio Sys., Guidant Sales to [277-2] counter claim (rld) (Entered: 11/04/2003)
11/04/2003	281	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Gerson S. Panitch and James R. Barney to Appear Pro Hac Vice (rld) (Entered: 11/05/2003)
11/05/2003	282	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re 4th set of req. for prod. of doc. and things (nos. 148-185) (rld) (Entered: 11/06/2003)
11/05/2003	283	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re 4th set of req. for prod. of doc. and things (nos. 133-169) (rld) (Entered: 11/10/2003)
11/07/2003		So Ordered granting [281-1] motion for Gerson S. Panitch and James R. Barney to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 11/10/2003)
11/10/2003	284	ANSWER by Medtronic Vascular to [275-2] counter claim (rld) (Entered: 11/13/2003)
11/14/2003	285	Letter to Judge Robinson from F. Cottrell, III requesting postponement of the Discovery Conf. scheduled for 11/18/03 at 4:30 p.m. on behalf of all parties (fmt) (Entered: 11/17/2003)
11/24/2003	286	Letter to Judge Robinson from K. J. Louden confirming rescheduling of discovery conf. from 11/18/03 to 12/19/03 at 8:00 a.m. (rld) (Entered: 11/24/2003)
11/24/2003		Deadline updated; reset Discovery Hearing for 8:00 12/19/03 (rld) (Entered: 11/24/2003)
12/04/2003	289	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re responses to 4th set of reqs for prod. of docs and things (Nos. 148-185) (fmt) (Entered: 12/05/2003)
12/05/2003	287	ORDER, set Settlement Conference for 9:00 10/26/04 and 10/27/04 (signed by Judge Mary P. Thynge) copies to: cnsl (fmt) (Entered: 12/05/2003)
12/05/2003	288	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re objs and responses to 4th set of reqs for prod of docs and things (Nos. 133-169) and ntc. of

		service (fmt) (Entered: 12/05/2003)
12/16/2003		Deadline updated; reset Discovery Hearing for 10:00 1/6/04 (rld) (Entered: 12/16/2003)
12/16/2003	290	Letter to Judge Robinson from K. Jacobs Louden confirming the discovery conf. for 12/19/03 at 8:00 a.m. has been rescheduled for 1/6/04 at 10:00 a.m. (fmt) (Entered: 12/19/2003)
01/05/2004	291	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re 1st supplemental objs and responses to 1st set of interrogs (Nos. 1-14) and ntc of service (fmt) (Entered: 01/05/2004)
01/05/2004	292	Letter to Judge Robinson from J. Heaney re suggested agenda of items to discuss at the discovery conference scheduled (fmt) (Entered: 01/06/2004)
01/05/2004	293	Letter to Judge Robinson from F. Cottrell, III re agenda for discovery conference (fmt) (Entered: 01/06/2004)
01/06/2004	294	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re ACS's 1st supplmental responses to 1st, 2nd, and 3rd sets of interrogs (fmt) (Entered: 01/06/2004)
01/06/2004	295	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for James G. Rizzo to Appear Pro Hac Vice (fmt) (Entered: 01/06/2004)
01/06/2004		Discovery hearing held; Judge Robinson presiding; Court Rptr. V. Gunning; Held jointly with 98-478-SLR and 03-402-SLR (fmt) (Entered: 01/07/2004)
01/06/2004		So Ordered granting [295-1] motion for James G. Rizzo to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 01/07/2004)
01/07/2004	296	TRANSCRIPT filed [0-0] discovery hearing for dates of 1/6/04; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 01/07/2004)
01/13/2004	297	MEMORANDUM ORDER denying [224-1] motion for Protective Order allowing redaction of limited information from manufacturing process documents (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) Modified on 01/13/2004 (Entered: 01/13/2004)
01/22/2004	298	NOTICE of Service of Subpoena by Advanced Cardio Sys., Guidant Sales; subpoena issued for Bradly A. Jendersee (fmt) (Entered: 01/23/2004)
01/23/2004	299	Letter to Judge Robinson from F. Cottrell, III re ACS's production; production is substantially complete (fmt) (Entered: 01/27/2004)
01/23/2004	300	Certification Regarding Document Production by Medtronic Vascular, Medtronic USA Inc; prod. of docs. required to be completed as of 12/4/03 is substantially complete (fmt) (Entered: 01/27/2004)
01/23/2004	301	SECOND NOTICE by Advanced Cardio Sys., Guidant Sales to take deposition of Medtronic Vascular, Inc. and Medtronic USA, Inc. on 2/11/04 (fmt) Modified on 01/27/2004 (Entered: 01/27/2004)

01/23/2004	302	Third NOTICE by Advanced Cardio Sys., Guidant Sales to take deposition of Medtronic Vascular, Inc. and Medtronic USA, Inc. on 2/13/04 (fmt) (Entered: 01/27/2004)
01/23/2004	303	First NOTICE by Advanced Cardio Sys., Guidant Sales to take deposition of Medtronic Vascular, Inc. and Medtronic USA, Inc. on 2/9/04 (fmt) (Entered: 01/27/2004)
01/29/2004	304	ORDER effective immediately the court will not consider applications and requests submitted by letter or in a form other than a motion, absent express approval by the court; no telephone calls are to be made to chambers; emergency matters should be emailed to the court at the address provided; no attachments shall be sumbitted with said emails. (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/29/2004)
02/02/2004	305	ORDER; the Order dated 12/5/03 is amended to include the mediation of 03-402-SLR; mediation conf. has been tentatively scheduled for 10/26/04, 10/27/04 and 10/28/04 at 9:00 a.m.; Teleconf. to be held on 10/6/04 at 8:30 a.m. with cnsl in 03-402-SLR only; telecnf. also scheduled to be held 10/6/04 at 9:00 a.m. for 98-80-SLR and 98-478-SLR; see order for further details (signed by Judge Mary P. Thynge) copies to: cnsl (fmt) Modified on 02/02/2004 (Entered: 02/02/2004)
02/11/2004	306	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re 5th set of interrogs (35-73) (fmt) (Entered: 02/12/2004)
02/12/2004	307	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re subpoena issued for JAMS, c/o John Welsh, Esquire (fmt) (Entered: 02/13/2004)
02/17/2004	308	Letter to Judge Robinson from K. J. Louden re proposed agenda for discovery issues during today's discovery conf. (rld) (Entered: 02/17/2004)
02/17/2004	309	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re 2nd supplmental objs and responses to interrogs (Nos. 1-34) (fmt) (Entered: 02/19/2004)
02/17/2004		Discovery hearing held; Judge Robinson presiding; crt. rptr. V. Gunning; held jointly with CA NO. 98-478, 03-402 and 04-34-SLR (rld) (Entered: 02/19/2004)
02/18/2004	311	TRANSCRIPT filed [0-0] discovery hearing for dates of 2/17/04; Judge Robinson presiding; crt. rptr. V. Gunning (rld) (Entered: 02/19/2004)
02/19/2004	310	STIPULATION re Third Amended and Supplemental Complaint and Demand for Jury Trial; with proposed order (fmt) (Entered: 02/19/2004)
02/20/2004		So Ordered granting [310-1] stipulation for defts. to file their 3rd Amended and Suppl. Complaint (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 02/20/2004)
02/20/2004	312	Third AMENDED and Supplmental COMPLAINT , amending [271-1] amended complaint; filed by ACS and Guidant per D.I. 310 (rld) (Entered: 02/20/2004)
02/23/2004	313	Responses and Objections by Medtronic Vascular, Medtronic USA Inc in opposition to [303-1] ACS's First deposition notice (fmt) (Entered: 02/23/2004)

02/24/2004	314	Second NOTICE by Medtronic Vascular, Medtronic USA Inc to take deposition of Advanced Cardiovascular Systems, Inc. on 3/10/04 (fmt) (Entered: 02/24/2004)
02/25/2004	315	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re ACS's 2nd Supplemental Responses to 1st, 2nd and 3rd sets of interrogs (fmt) (Entered: 02/25/2004)
02/25/2004	316	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re 3rd supplemental objs and responses to dfts interrogs (Nos. 1-34) (fmt) (Entered: 02/26/2004)
03/03/2004	317	NOTICE of Service of Subpoena by Advanced Cardio Sys., Guidant Sales; subpoena issed for Robert D. Lashinski (fmt) (Entered: 03/04/2004)
03/03/2004	318	NOTICE of Service of Subpoena by Advanced Cardio Sys., Guidant Sales; subpoena issued for Dr. Azam Anwar (fmt) (Entered: 03/04/2004)
03/04/2004	319	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re ACS's Third Supplemental Responses to Medtronic's 1st, 2nd and 3rd sets of Interrogs (fmt) (Entered: 03/05/2004)
03/04/2004	320	Certification Regarding Document Production by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 03/05/2004)
03/05/2004	321	STIPULATION to extend time that pltfs. have to serve their answer and counterclaims to the Third Amended and Supplemental Complaint; with proposed order (fmt) (Entered: 03/08/2004)
03/05/2004	322	SEALED Letter to Judge Robinson from F. Cottrell, III dated 3/5/04 (fmt) (Entered: 03/08/2004)
03/08/2004	323	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order to Extend Time Answer Brief due 3/22/04 re: [323-1] motion (fmt) (Entered: 03/08/2004)
03/08/2004	324	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re 4th Supplemental Objs and Responses to Defendants (Nos. 1-34) (fmt) (Entered: 03/09/2004)
03/09/2004		So Ordered granting [321-1] stipulation extending time for pltfs. to file their answer and counterclaims to the 3rd Amended and Suppl. Complaint of Advanced Cardiovascular and Guidant Sales until 3/8/04 (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 03/09/2004)
03/10/2004		Deadline updated; set Telephone Conference for 9:00 3/17/04 re D.I. 323 (rld) (Entered: 03/10/2004)
03/10/2004	325	Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [323-1] motion to Extend Time - Reply Brief due 3/17/04 (fmt) (Entered: 03/11/2004)
03/12/2004	326	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re subpoena issued for Dr. Simon Stertzer (fmt) (Entered: 03/15/2004)

03/12/2004	327	SEALED Letter to the Honorable Sue L. Robinson, Chief Judge, United States District Court for the District of DE Dated 3/12/04 (fmt) (Entered: 03/15/2004)
03/15/2004	328	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re objs and respones to dfts' 5th set of interrogs (Nos. 35-73) (fmt) (Entered: 03/15/2004)
03/17/2004	329	STIPULATION re answer and counterclaims to the Third Amended and Supplmental Complaint of Advanced Cardiovasclar Systems, Inc. and Guidant Sales Corporation; with proposed order (fmt) (Entered: 03/17/2004)
03/18/2004		So Ordered granting [329-1] stipulation extending time for pltfs. to file their answer and counterclaims to the 3rd Amended and Suppl. Complaint of defts. until 3/19/04(signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 03/18/2004)
03/18/2004	330	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re discovery (fmt) (Entered: 03/19/2004)
03/18/2004		Mooting [323-1] motion to Extend Time per D.I. 329 (rld) (Entered: 07/08/2004)
03/19/2004	331	Answer and Counterclaims of Medtronic Vascular, Inc. and Medtronic USA, Inc.'s Answer and Counterclaims to Third Amended and Supplemental Complaint of Advanced Cardiovascular Systems, Inc. and Guidant Sales Corporation against Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 03/22/2004)
03/22/2004	332	NOTICE by Advanced Cardio Sys., Guidant Sales to take deposition of Glenn Foley on 3/30/04; John Wilson on 3/31/04; Catherine Maresh on 3/31/04; Dennis Brooks on 4/6/04; Darren Hopkins on 4/7/04; Scott Kramer on 4/8/04; Donna Collins-Wilson on 4/14/04; Marlon Housman on 4/15/04; Bruce Grant on 4/16/04; Trung Pham on 4/28/04; Brian Donlon on 4/29/04; Michael Ellwein on 5/3/04 (fmt) (Entered: 03/22/2004)
03/24/2004	333	Letter to Judge Robinson from J. Heaney re agenda of discovery issues for discovery conference (fmt) (Entered: 03/25/2004)
03/24/2004		Discovery hearing held; Judge Robinson presiding; Hawkins Court Rptr. present; held jointly with CA No. 98-478-SLR and 03-402-SLR (fmt) (Entered: 03/25/2004)
03/25/2004	334	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re subpoena issued for Glenn Foley (fmt) (Entered: 03/25/2004)
03/25/2004	335	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re Amended response to interrog No. 12 and 1st supplemental responses to interrogs Nos. 37-49 (fmt) (Entered: 03/25/2004)
03/26/2004	336	Third NOTICE by Medtronic Vascular, Medtronic USA Inc to take deposition of Advanced Cardiovascular System on 4/22/04 (fmt) (Entered: 03/26/2004)
03/26/2004	338	SEALED TRANSCRIPT filed [0-0] discovery hearing for dates of 3/24/04; Judge Robinson presiding; Hawkins Reporting Service (fmt) (Entered: 03/31/2004)
03/31/2004	337	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re discovery (fmt) (Entered: 03/31/2004)

03/31/2004		Deadline updated; set Telephone Conference for 5:00 3/31/04, 4/7/04, 4/14/04, 4/21/04, 4/28/04 re discovery issues in CA NO. 98-80, 98-478, 03-402, and 04-34-SLR. (rld) (Entered: 03/31/2004)
03/31/2004	339	SEALED MOTION by Medtronic Vascular To Prohibit Disclosure of Confidential Information to Analysis Group Answer Brief due 4/14/04 re: [339-1] motion (fmt) (Entered: 04/01/2004)
03/31/2004		Tele-conference held re discovery; Judge Robinson presiding; crt. rptr. B. Gaffigan (rld) (Entered: 04/01/2004)
04/02/2004	340	Steno Notes for 3/31/04 Telephone Conference; Judge Robinson presiding; Court Rptr. B. Gaffigan (fmt) (Entered: 04/05/2004)
04/02/2004	341	TRANSCRIPT filed for dates of 3/31/04 Telephone Conference; Judge Robinson presiding; Court Rptr. B. Gaffigan (fmt) (Entered: 04/05/2004)
04/02/2004	342	ANSWER by Advanced Cardio Sys., Guidant Sales to [331-2] counter claim (fmt) (Entered: 04/05/2004)
04/07/2004	343	MEMORANDUM ORDER re discovery dispute related to deposition redactions (D.I. 322, 327); the following excertps shall be produced (SEE Order for further details) (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 04/07/2004)
04/07/2004	344	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re discovery (fmt) (Entered: 04/08/2004)
04/07/2004	345	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re discovery (fmt) (Entered: 04/08/2004)
04/07/2004	346	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re subpoena for Benito O. Hidalgo (fmt) (Entered: 04/08/2004)
04/07/2004	347	NOTICE by Medtronic Vascular, Medtronic USA Inc to take deposition of Wilfred Samson on 4/8/04; Gary Schneiderman on 4/16/04; David Bloom on 4/19/04; John Frantzen on 4/21/04; Ginger Graham on 4/22/04; Beverly Huss on 4/23/04; Jamey Jacobs on 4/26/04; Farhad Khosravi on 4/27/04; Elizabeth McDermott on 4/28/04; K.T. Roa on 4/29/04; Carl Simpson on 4/30/04; Nicky Spaulding on 5/3/04; and David Young on 5/4/04 (fmt) (Entered: 04/08/2004)
04/07/2004		Tele-conference held Judge Robinson presiding; crt. rptr. V. Gunning; re discovery issues; held jointly with Civ. NO. 98-478, 03-402, and 04-34-SLR. (rld) Modified on 04/13/2004 (Entered: 04/13/2004)
04/08/2004	348	MOTION by Medtronic Vascular, Medtronic USA Inc for Entry of Consolidated Protective Order Answer Brief due 4/22/04 re: [348-1] motion (fmt) (Entered: 04/08/2004)
04/13/2004	349	TRANSCRIPT filed [0-0] telephone conference for dates of 4/7/04; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 04/13/2004)
04/14/2004	350	Letter to Judge Robinson from K. Jacobs Louden enclosing a summary of depositions;

		listing issues for the discovery teleconference; filing attachments to this letter in the 98-478-SLR action only and incorporate the attachments by reference in the 04-34-SLR, 98-80-SLR and 03-402-SLR (fmt) (Entered: 04/14/2004)
04/14/2004	351	Letter to Judge Robinson from A. Shea Gaza attaching combined deposition schedule for all four cases; jointly submitting a list of witnesses (fmt) (Entered: 04/14/2004)
04/14/2004	352	MOTION by Advanced Cardio Sys., Guidant Sales to Strike [339-1] motion To Prohibit Disclosure of Confidential Information to Analysis Group Answer Brief due 4/28/04 re: [352-1] motion AND Opposition to Plaintiffs' Motion to Prohibit Disclosure of Confidential Information to John C. Jarosz (fmt) (Entered: 04/15/2004)
04/14/2004		Tele-conference held Judge Robinson presiding; crt. rptr. V. Gunning present; held jointly with 98-478, 03-402, and 04-34-SLR; re discovery issues. (rld) (Entered: 04/15/2004)
04/16/2004	353	TRANSCRIPT filed [0-0] telephone conference for dates of 4/14/04; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 04/19/2004)
04/21/2004	354	STIPULATION to extend time for pltfs to file their reply in support of the motion to prohibit disclosure to John Jarosz; with proposed order (fmt) (Entered: 04/21/2004)
04/22/2004		So Ordered granting [354-1] stipulation reset Reply Brief Deadline to 4/23/04 re: [339-1] motion To Prohibit Disclosure of Confidential Information to Analysis Group (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 04/22/2004)
04/22/2004	355	STIPULATION to extend time for defts. to respond to pltf.'s motion for entry of consolidated protective order; with proposed order (rld) (Entered: 04/22/2004)
04/23/2004		So Ordered granting [355-1] stipulation reset Answer Brief Deadline to 4/27/04 re: [348-1] motion for Entry of Consolidated Protective Order (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 04/23/2004)
04/23/2004	356	SEALED Combined Reply Brief Filed by Medtronic Vascular, Medtronic USA Inc in Further Support of its Motion to Prohibit Disclosure of Confidential Information to John Jarosz and Opposition to ACS's Motion to Strike (fmt) Modified on 04/26/2004 (Entered: 04/26/2004)
04/23/2004		SEALED; 2nd part of D.I. # 356; Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [352-1] motion to Strike [339-1] motion To Prohibit Disclosure of Confidential Information to Analysis Group - Reply Brief due 4/30/04 (fmt) Modified on 04/26/2004 (Entered: 04/26/2004)
04/27/2004	357	STIPULATION re Reply to pltf's Motion for Entry of Consolidated Protective Order; with proposed order (fmt) (Entered: 04/27/2004)
04/27/2004	358	Letter to Clerk from P. Bangle re Declaration of Shawn McCormick; original is enclosed to be substituted for the copy (fmt) (Entered: 04/27/2004)
04/28/2004		So Ordered granting [357-1] stipulation reset Answer Brief Deadline to 4/30/04 re: [348-1] motion for Entry of Consolidated Protective Order (signed by Judge Sue L.

		Robinson) Notice to all parties. (fmt) (Entered: 04/28/2004)
04/29/2004	359	CERTIFICATE OF SERVICE by Medtronic Vascular, Inc. re discovery (fmt) (Entered: 04/30/2004)
04/29/2004	360	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re discovery (fmt) (Entered: 04/30/2004)
04/30/2004	361	Joinder of Cordis Corporation's Answering Brief and Opposition to Pltf's Motion for Entry of Consolidated Protective Order by Advanced Cardio Sys., Guidant Sales (Cordis Corporation's Answering Brief is filed in 03-402-SLR, D.I. # 157) (fmt) (Entered: 05/03/2004)
04/30/2004		2nd part of D.I. # 361; Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [348-1] motion for Entry of Consolidated Protective Order - Reply Brief due 5/7/04 (fmt) (Entered: 05/03/2004)
05/04/2004	362	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re objs and responses to subpoena (Stertzer) (fmt) (Entered: 05/05/2004)
05/05/2004	363	ORDER granting in part, denying in part [352-1] motion to Strike [339-1] motion To Prohibit Disclosure of Confidential Information to Analysis Group, granting to an extent [339-1] motion To Prohibit Disclosure of Confidential Information to Analysis Group: pltfs. have waived their right to object to disclosure of confid. info. to C. Mulhern's employer, Analysis Grp.; to the extent J. Jarosz was not identified consistent with parag. 7 of the 8/2/00 protective order pltfs.' motion is granted; (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 05/05/2004)
05/05/2004	364	ORDER denying [348-1] motion for Entry of Consolidated Protective Order due to late stage of proceedings (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 05/05/2004)
05/05/2004		Tele-conference held Judge Robinson presiding; crt. rptr. V. Gunning; re discovery issues; held jointly with CA NO. 98-478, 03-402, and 04-34-SLR. (rld) (Entered: 05/06/2004)
05/06/2004	365	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re objs and responses to subpoena (Jendersee) and Jendersee's objs and responses to subpoena (fmt) (Entered: 05/07/2004)
05/10/2004	366	MOTION by Advanced Cardio Sys., Guidant Sales for Clarification or, In the Alternative, Modification of the Court's May 5, 2004 Order Answer Brief due 5/24/04 re: [366-1] motion (fmt) (Entered: 05/10/2004)
05/12/2004	367	TRANSCRIPT filed [0-0] telephone conference for dates of 5/5/04; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 05/12/2004)
05/12/2004	368	Letter to Judge Robinson from K. Jacobs Louden re the issue raised with the Court during the 5/5 discovery teleconf. concerning the preparedness and sufficiency of the testimony of Tim Kitchen; the parties appear to have reached an accommodation and do not require the Court's assistance (fmt) (Entered: 05/13/2004)

05/13/2004	369	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [366-1] motion for Clarification or, In the Alternative, Modification of the Court's May 5, 2004 Order - Reply Brief due 5/20/04 (fmt) (Entered: 05/14/2004)
05/19/2004	370	ORDER denying [366-1] motion for Clarification or, In the Alternative, Modification of the Court's May 5, 2004 Order; the court's order stands and Mr. Jarosz shall not be permitted to testify as an expert in this case on behalf of defts. SEE D.I. 356 signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 05/19/2004)
05/21/2004	371	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order to Stay The Proceedings Pending the Outcome of the Cordis Arbitration Answer Brief due 6/4/04 re: [371-1] motion (fmt) (Entered: 05/24/2004)
05/21/2004	372	Memorandum in Support Filed by Advanced Cardio Sys., Guidant Sales [371-1] motion to Stay The Proceedings Pending the Outcome of the Cordis Arbitration (fmt) (Entered: 05/24/2004)
05/24/2004	373	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re ACS's Responses to 5th set of interrogs (Nos. 29-45) (fmt) (Entered: 05/25/2004)
05/24/2004	374	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re ACS's Responses to 1st set of reqs for admission (fmt) (Entered: 05/25/2004)
05/25/2004	375	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re discovery (fmt) (Entered: 05/26/2004)
05/25/2004	376	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re discovery (fmt) (Entered: 05/26/2004)
05/28/2004	377	ORDER, reset Telephone Conference for 4:30 8/12/04 (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 05/28/2004)
06/02/2004	378	Letter to Judge Robinson from F. Cottrell, III advising the Court of an opinion issued by Judge Jordan that is relevant to ACS' pending motion to stay (fmt) (Entered: 06/03/2004)
06/03/2004	379	Letter to Judge Robinson from K. Jacobs Louden writing in response to Mr. Cottrell's 6/2/04 letter concerning Judge Jordan's decision in 01-752-KAJ (fmt) (Entered: 06/04/2004)
06/07/2004	380	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [371-1] motion to Stay The Proceedings Pending the Outcome of the Cordis Arbitration - Reply Brief due 6/14/04 (fmt) (Entered: 06/08/2004)
06/14/2004	381	Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [371-1] motion to Stay The Proceedings Pending the Outcome of the Cordis Arbitration (fmt) (Entered: 06/15/2004)
06/17/2004	382	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re expert reports (fmt) (Entered: 06/17/2004)
07/02/2004	383	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re

		supplemental expert report of Mary A. Woodford (fmt) (Entered: 07/06/2004)
07/08/2004	384	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re opening expert reports of Jerome Segal, Joel K. Kahn, John W. Morris, Sharon Oster, Ashley J. Stevens, and rebuttal expert reports of Jerome Segal, Joel K. Kahn, John W. Morris, and Richard A. Killworth. (rld) (Entered: 07/09/2004)
07/12/2004	385	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order to Strike the Expert Reports of Jeffrey Allen, Dr. Larry Dean and Dr. David Pearle Answer Brief due 7/26/04 re: [385-1] motion (fmt) (Entered: 07/14/2004)
07/12/2004	386	Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [385-1] motion to Strike the Expert Reports of Jeffrey Allen, Dr. Larry Dean and Dr. David Pearle (fmt) (Entered: 07/14/2004)
07/16/2004	387	Supplemental Certification Pursuant to Local Rule 7.1.1 by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 07/16/2004)
07/22/2004	388	NOTICE of Subpoena by Medtronic Vascular, Medtronic USA Inc; subpoena has been served upon Biosensors International USA (fmt) (Entered: 07/26/2004)
07/23/2004	389	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Matthew F. Weil to Appear Pro Hac Vice (fmt) (Entered: 07/26/2004)
07/26/2004	390	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [385-1] motion to Strike the Expert Reports of Jeffrey Allen, Dr. Larry Dean and Dr. David Pearle - Reply Brief due 8/2/04 (fmt) (Entered: 07/26/2004)
07/26/2004		So Ordered granting [389-1] motion for Matthew F. Weil to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 07/27/2004)
08/02/2004	391	STIPULATION to extend time for Guidant Corp. and Advanced Cardiovascular System's Inc. to reply to Pltfs' Answering Brief in Opposition to Defts' Motion to Strike the Expert Reports; with proposed order (fmt) (Entered: 08/02/2004)
08/03/2004		So Ordered granting [391-1] stipulation reset Reply Brief Deadline to 8/3/04 re: [385-1] motion to Strike the Expert Reports of Jeffrey Allen, Dr. Larry Dean and Dr. David Pearle (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 08/03/2004)
08/03/2004	392	Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [385-1] motion to Strike the Expert Reports of Jeffrey Allen, Dr. Larry Dean and Dr. David Pearle (fmt) (Entered: 08/04/2004)
08/04/2004	393	MOTION by Advanced Cardio Sys., Guidant Sales to Bifurcate and Conduct Trial of Damages after Resolution of Liability Issues in other Cases Answer Brief due 8/18/04 re: [393-1] motion (fmt) (Entered: 08/05/2004)
08/05/2004	394	STIPULATION re Briefing on D.I. 231; with proposed order (fmt) (Entered: 08/05/2004)
08/05/2004		So Ordered granting [394-1] stipulation reset Answer Brief Deadline to 8/27/04 re:

		[393-1] motion to Bifurcate and Conduct Trial of Damages after Resolution of Liability Issues in other Cases , and reset Reply Brief Deadline to 9/17/04 re: [393-1] motion to Bifurcate and Conduct Trial of Damages after Resolution of Liability Issues in other Cases (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 08/06/2004)
08/05/2004	395	Letter to Judge Robinson from P. Bangle enclosing stipulated proposed schedule for each case (fmt) (Entered: 08/06/2004)
08/05/2004	396	Proposed Amended Scheduling Order filed (fmt) (Entered: 08/06/2004)
08/06/2004	397	JOINT CLAIM CONSTRUCTION STATEMENT FOR THE LAU PATENTS IN SUIT by Advanced Cardio Sys., Medtronic Vascular, Medtronic USA Inc, Guidant Sales in support of (rld) (Entered: 08/09/2004)
08/09/2004	398	STIPULATION to extend time for parties to file their joint claim construction statement with respect to the Boneau patents in suit with proposed order (rld) (Entered: 08/09/2004)
08/09/2004	399	Joint Claim Construction Chart with Respect to the Boneau Patents in Suit (fmt) (Entered: 08/10/2004)
08/10/2004		So Ordered granting [398-1] stipulation reset Brief deadline to 8/9/04 for parties to file their joint claim construction statement re Boneau patents (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 08/11/2004)
08/11/2004		So Ordered [396-1] proposed order reset Scheduling Order Deadlines: Deadline for filing dispositive motions by 8/13/04; answering briefs due 9/10/04; reply briefs due 9/24/04; Oral argument shall be conducted on 10/21/04 at 1:00 p.m. , and reset Brief deadline to 8/6/04 for parties to submit joint claim construction statement; opening briefs due 8/13/04; answering briefs due 9/10/04 , reset Telephone Conference for 4:00 8/26/04 , reset Scheduling Order Deadlines: Discovery deadline on 9/3/04 Daubert motions due 9/10/04, answering briefs due 10/1/04; see order for further details (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 08/11/2004)
08/13/2004	400	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 Answer Brief due 9/10/04 re: [400-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	401	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 (fmt) (Entered: 08/16/2004)
08/13/2004	402	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Summary Judgment of Invalidity of the Boneau Patents-In-Suit Answer Brief due 9/10/04 re: [402-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	403	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit (fmt) (Entered: 08/16/2004)

08/13/2004	404	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) Answer Brief due 8/10/04 re: [404-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	405	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) (fmt) (Entered: 08/16/2004)
08/13/2004	406	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations Answer Brief due 9/10/04 re: [406-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	407	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations (fmt) (Entered: 08/16/2004)
08/13/2004	408	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Partial Summary Judgment Under the Doctrine of Collateral Estoppel Answer Brief due 9/10/04 re: [408-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	409	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel (fmt) (Entered: 08/16/2004)
08/13/2004	410	MOTION by Medtronic Vascular with Proposed Order for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents Answer Brief due 9/10/04 re: [410-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	411	SEALED Opening Brief Filed by Medtronic Vascular [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents (fmt) (Entered: 08/16/2004)
08/13/2004	412	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Partial Summary Judgment That ACS Is Not Entitled to Lost Profits Damages on Certain Vascular Sales Answer Brief due 9/10/04 re: [412-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	413	SEALED Opening Brief Filed by Medtronic Vascular, Medtronic USA Inc [412-1] motion for Partial Summary Judgment That ACS Is Not Entitled to Lost Profits Damages on Certain Vascular Sales (fmt) (Entered: 08/16/2004)
08/13/2004	414	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053 Answer Brief due 9/10/04 re: [414-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	415	Opening Brief Filed by Medtronic Vascular, Medtronic USA Inc [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of

		U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053 (fmt) (Entered: 08/16/2004)
08/13/2004	416	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Partial Summary Judgment for an Offset on ACS's Alleged Lost Profits Damages Based on Amounts Already Paid on the Same Accused Products in a Prior Proceeding Answer Brief due 9/10/04 re: [416-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	417	SEALED Opening Brief Filed by Medtronic Vascular, Medtronic USA Inc [416-1] motion for Partial Summary Judgment for an Offset on ACS's Alleged Lost Profits Damages Based on Amounts Already Paid on the Same Accused Products in a Prior Proceeding (fmt) (Entered: 08/16/2004)
08/13/2004	418	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order For Claim Construction of the Lau Patent Answer Brief due 8/27/04 re: [418-1] motion (fmt) (Entered: 08/16/2004)
08/13/2004	419	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [418-1] motion For Claim Construction of the Lau Patent (fmt) (Entered: 08/16/2004)
08/13/2004	420	Opening Claim Construction Brief for the Lau Patents by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 08/16/2004)
08/13/2004	421	Opening Markman Brief on Disputed Claims of the Boneau Patents by Medtronic Vascular (fmt) Modified on 08/16/2004 (Entered: 08/16/2004)
08/13/2004	422	Joint Appendix Filed by Advanced Cardio Sys., Guidant Sales of Boneau Patents and Their Prosecution Histories (Volume I of II) (fmt) Modified on 08/16/2004 (Entered: 08/16/2004)
08/13/2004	423	Joint Appendix of Boneau Patents and Their Prosecution Histories Filed by Advanced Cardio Sys., Guidant Sales (Volume II of II) (fmt) (Entered: 08/16/2004)
08/13/2004	428	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Partial Summary Judgment Regarding Marking Answer Brief due 9/10/04 re: [428-1] motion (fmt) (Entered: 08/16/2004)
08/16/2004	424	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order For Claim Construction of the Boneau Patent Answer Brief due 8/30/04 re: [424-1] motion (fmt) (Entered: 08/16/2004)
08/16/2004	425	SEALED Opening Claim Construction Brief Filed by Advanced Cardio Sys., Guidant Sales [424-1] motion For Claim Construction of the Boneau Patent (fmt) (Entered: 08/16/2004)
08/16/2004	426	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit Answer Brief due 9/10/04 re: [426-1] motion (fmt) (Entered: 08/16/2004)
08/16/2004	427	SEALED Opening Brief Filed by Advanced Cardio Sys., Guidant Sales [426-1] motion

		for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit (fmt) (Entered: 08/16/2004)
08/16/2004	429	Letter to Clerk from F. Cottrell, III enclosing corrected briefs (D.I. #s 401, 405, 419, 425, and 427); requesting replace briefs with corrected briefs; corrected briefs merely include color-copied pages where appropriate (fmt) (Entered: 08/17/2004)
08/16/2004	430	SEALED AFFIDAVIT of Frederick J. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit (fmt) (Entered: 08/17/2004)
08/16/2004	431	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations (fmt) (Entered: 08/17/2004)
08/16/2004	432	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [425-1] opening claim construction brief regarding Boneau Patent terms (fmt) (Entered: 08/17/2004)
08/16/2004	433	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel (fmt) (Entered: 08/17/2004)
08/16/2004	434	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) (fmt) Modified on 08/17/2004 (Entered: 08/17/2004)
08/16/2004	435	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit (fmt) (Entered: 08/17/2004)
08/16/2004	436	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 (fmt) (Entered: 08/17/2004)
08/16/2004	437	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [419-1] opening claim construction brief regarding Lau Patent Terms (fmt) (Entered: 08/17/2004)
08/16/2004	438	ACS's Excerpts From the Lau Joint Appendix in Support of ACS's Claim Construction Brief Regarding Lau Patent Terms (fmt) (Entered: 08/17/2004)
08/17/2004	439	SEALED Supplemental Appendix of Exhibits in Support of Motions for Partial Sum. Jgm. and Markman Brief; and Declaration of Matthew F. Weil Filed by Medtronic Vascular, Medtronic USA Inc; Volume I of III (fmt) (Entered: 08/19/2004)
08/17/2004	440	SEALED Supplemental Appendix of Exhibits in Support of Motions for Partial Sum. Jgm. and Markman Brief; and Declaration of Matthew F. Weil Filed by Medtronic Vascular, Medtronic USA; Volume II of III (fmt) (Entered: 08/19/2004)

08/17/2004	441	SEALED Supplemental Appendix of Exhibits in Support of Motions for Partial Sum. Jgm. and Markman Brief; and Declaration of Matthew F. Weil Filed by Medtronic Vascular, Medtronic USA; Volume III of III (fmt) (Entered: 08/19/2004)
08/17/2004	442	SEALED ACS Confidential Exhibits (12, 13, 20 and Portions of 31) to Medtronic Vascular, Medtronic USA Inc's Supplemental Appendix of Exhibits in Support of Motions for Partial Sum. Jgm. and Markman Brief; and Declaration of Matthew F. Weil (fmt) (Entered: 08/19/2004)
08/26/2004	443	Letter to Judge Robinson from F. Cottrell, III re agenda items for discussion (fmt) (Entered: 08/26/2004)
08/26/2004		Tele-conference held; Judge Robinson presiding; B. Gaffigan crt. rptr.; re pending motions; D.I. 385 Granted; D.I. 371 denied except as to damages and willfulness - bifurcated and stayed pending arbitration; see transcript for full details (rld) Modified on 09/02/2004 (Entered: 08/30/2004)
08/26/2004		So Ordered Orally on the record during the teleconf. on 8/26/04 (SEE transcript for details) granting [385-1] motion to Strike the Expert Reports of Jeffrey Allen, Dr. Larry Dean and Dr. David Pearle, denying except as to damages and willfulness, bifurcated and stayed pending arbitration; [371-1] motion to Stay The Proceedings Pending the Outcome of the Cordis Arbitration (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 09/02/2004)
08/30/2004	444	TRANSCRIPT filed for dates of 8/26/04 Teleconference; Judge Robinson presiding; Court Rptr. B. Gaffigan (fmt) (Entered: 08/30/2004)
08/31/2004	445	Steno Notes for 8/26/04 Teleconference; Judge Robinson presiding; Court Rptr. B. Gaffigan (fmt) (Entered: 08/31/2004)
09/02/2004		Deadline updated; set In Chambers Conference for 9:30 10/22/04 for three hours; set during 8/26/04 teleconf. (rld) (Entered: 09/02/2004)
09/02/2004	446	NOTICE of Withdrawal by Advanced Cardio Sys., Guidant Sales; Fulwider Patton Lee & Utecht, LLP including Richard Bardin, Craig Bailey, Michael S. Elkind, Ronald Perez, David Pitman and Richard Cates withdraw their appearance in this case for defts (fmt) (Entered: 09/07/2004)
09/03/2004	447	NOTICE of Withdrawal by Advanced Cardio Sys., Guidant Sales; withdraw D.I. # 428 without prejudice to be refiled when and if the stay on damages is lifted (fmt) (Entered: 09/07/2004)
09/03/2004		WITHDRAWAL of [428-1] motion for Partial Summary Judgment Regarding Marking per D.I. # 447 (fmt) (Entered: 09/07/2004)
09/03/2004	448	NOTICE of Withdrawal by Advanced Cardio Sys., Guidant Sales; withdraw D.I. # 393 without prejudice to be refiled when and if the stay on damages is lifted (fmt) (Entered: 09/07/2004)
09/03/2004		WITHDRAWAL of [393-1] motion to Bifurcate and Conduct Trial of Damages after Resolution of Liability Issues in other Cases per D.I. # 448 (fmt) (Entered: 09/07/2004)

09/07/2004	449	UNOPPOSED MOTION by Medtronic Vascular with Proposed Order For Extension of Time (fmt) (Entered: 09/07/2004)
09/07/2004	450	NOTICE of Withdrawal by Medtronic Vascular, Medtronic USA Inc; D.I. #s 416 and 412 are withdrawn without prejudice to be refiled when the Court reopens the damages issues (fmt) (Entered: 09/07/2004)
09/07/2004		WITHDRAWAL of [416-1] motion for Partial Summary Judgment for an Offset on ACS's Alleged Lost Profits Damages Based on Amounts Already Paid on the Same Accused Products in a Prior Proceeding, [412-1] motion for Partial Summary Judgment That ACS Is Not Entitled to Lost Profits Damages on Certain Vascular Sales per D.I. # 450 (fmt) (Entered: 09/07/2004)
09/08/2004		So Ordered granting [449-1] motion For Extension of Time reset Answer Brief Deadline to 9/15/04 re: [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit, 9/15/04 re: [424-1] motion For Claim Construction of the Boneau Patent, 9/15/04 re: [418-1] motion For Claim Construction of the Lau Patent, 9/15/04 re: [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053, 9/15/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 9/15/04 re: [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel, 9/15/04 re: [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations, 9/15/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F), 9/15/04 re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit, 9/15/04 re: [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 , and Reply Brief Deadline to 9/29/04 re: [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit, 9/29/04 re: [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053, 9/29/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 9/29/04 re: [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel, 9/29/04 re: [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations, 9/29/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F), 9/29/04 re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit, 9/29/04 re: [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 09/08/2004)
09/14/2004	451	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Fay

		E. Morisseau to Appear Pro Hac Vice (fmt) (Entered: 09/14/2004)
09/14/2004		So Ordered granting [451-1] motion for Fay E. Morisseau to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 09/15/2004)
09/15/2004	452	STIPULATION re responsive claim construction and sum. jgm. briefs; with proposed order (fmt) (Entered: 09/15/2004)
09/16/2004		So Ordered granting [452-1] stipulation reset Answer Brief Deadline to 9/17/04 re: [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit, 9/17/04 re: [424-1] motion For Claim Construction of the Boneau Patent, 9/17/04 re: [418-1] motion For Claim Construction of the Lau Patent, 9/17/04 re: [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053, 9/17/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 9/17/04 re: [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel, 9/17/04 re: [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations, 9/17/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F), 9/17/04 re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit, 9/17/04 re: [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 , and reset Reply Brief Deadline to 10/1/04 re: [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit, 10/1/04 re: [424-1] motion For Claim Construction of the Boneau Patent, 10/1/04 re: [418-1] motion For Claim Construction of the Lau Patent, 10/1/04 re: [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053, 10/1/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 10/1/04 re: [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel, 10/1/04 re: [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations, 10/1/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F), 10/1/04 re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit, 10/1/04 re: [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 09/16/2004)
09/16/2004		Deadline updated; set Telephone Conference for 10:00 9/17/04 re scheduling issues re summary jgm. and claim construction. (rld) (Entered: 09/16/2004)
09/17/2004		Tele-conference held; Judge Robinson presiding; Court Rtpr. V. Gunning present; re: sum. jgm. and claim construction briefing issues (fmt) (Entered: 09/20/2004)

09/17/2004	453	TRANSCRIPT filed [0-0] telephone conference for dates of 9/17/04; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 09/20/2004)
09/20/2004	454	Letter to Judge Robinson from K. Jacobs Louden enclosing a proposed order in each case extending response and reply briefing (fmt) (Entered: 09/20/2004)
09/21/2004	455	ORDER, reset Reply Brief Deadline to 10/5/04 re: [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit, 10/5/04 re: [424-1] motion For Claim Construction of the Boneau Patent, 10/5/04 re: [418-1] motion For Claim Construction of the Lau Patent, 10/5/04 re: [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053, 10/5/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 10/5/04 re: [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel, 10/5/04 re: [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations, 10/5/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F), 10/5/04 re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit, 10/5/04 re: [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 , reset Reply Brief Deadline to 10/8/04 re: [418-1] motion For Claim Construction of the Lau Patent, 10/8/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 10/8/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) , reset Answer Brief Deadline to 9/24/04 re: [418-1] motion For Claim Construction of the Lau Patent, 9/24/04 re: [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, 9/24/04 re: [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 09/21/2004)
09/21/2004	456	SEALED Answer Brief Filed by Advanced Cardio Sys., Guidant Sales In Response to Medtronic Vascular's Opening Markman Brief on the Disputed Claims of the Boneau Patents (fmt) (Entered: 09/22/2004)
09/21/2004	457	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [456-1] answer brief (fmt) Modified on 09/22/2004 (Entered: 09/22/2004)
09/21/2004	458	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit - Reply Brief due 10/5/04 (fmt) (Entered: 09/22/2004)
09/21/2004	459	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [424-1] motion For Claim Construction of the Boneau Patent - Reply Brief due 10/5/04 (fmt) (Entered:

		09/22/2004)
09/21/2004	460	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit - Reply Brief due 10/5/04 (fmt) (Entered: 09/22/2004)
09/21/2004	461	SEALED Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053 - Reply Brief due 10/5/04 (fmt) (Entered: 09/22/2004)
09/21/2004	462	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [461-1] answer brief (fmt) (Entered: 09/22/2004)
09/21/2004	463	SEALED Third Supplemental Appendix of Exhibits in Support of Motions for Partial Summary Judgment and Markman Brief; and Declaration of Matthew F. Weil Filed by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 09/22/2004)
09/24/2004	464	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel - Reply Brief due 10/5/04 (fmt) (Entered: 09/27/2004)
09/24/2004	465	SEALED Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents - Reply Brief due 10/8/04 (fmt) (Entered: 09/27/2004)
09/24/2004	466	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [465-1] answer brief (fmt) (Entered: 09/27/2004)
09/24/2004	467	SEALED Answering Claim Construction Brief Regarding the Lau Patent Terms Filed by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 09/27/2004)
09/24/2004	468	SEALED Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 - Reply Brief due 10/5/04 (fmt) (Entered: 09/27/2004)
09/24/2004	469	SEALED Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) - Reply Brief due 10/8/04 (fmt) (Entered: 09/27/2004)
09/24/2004	470	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [418-1] motion For Claim Construction of the Lau Patent - Reply Brief due 10/8/04 (fmt) (Entered: 09/27/2004)
09/24/2004	471	SEALED Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations - Reply Brief due 10/5/04 (fmt) (Entered: 09/27/2004)

09/24/2004	472	SEALED Declaration of James G. Rizzo (fmt) (Entered: 09/27/2004)
09/24/2004	473	SEALED Declaration of Sara A. Poulos (fmt) (Entered: 09/27/2004)
09/27/2004	474	Letter to Clerk from P. Bangle enclosing corrected version of D.I. # 471 and Appendix to Corrected D.I. # 471 (fmt) (Entered: 09/28/2004)
09/27/2004	475	SEALED Appendix to Brief Filed by Medtronic Vascular, Medtronic USA Inc Appending [471-1]corrected answer brief (fmt) (Entered: 09/28/2004)
10/01/2004	476	Unopposed Request by Advanced Cardio Sys., Guidant Sales for an Extension of Time to File Reply Briefs Solely Regarding the Validity of the Boneau Patents (fmt) (Entered: 10/04/2004)
10/04/2004	477	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re list of potential fact witnesses (fmt) (Entered: 10/05/2004)
10/04/2004	478	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re list of fact witnesses (fmt) (Entered: 10/05/2004)
10/05/2004	479	Reply Brief Filed by Medtronic Vascular, Medtronic USA Inc [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053 (fmt) (Entered: 10/06/2004)
10/05/2004	480	SEALED Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit (fmt) (Entered: 10/06/2004)
10/05/2004	481	SEALED AFFIDAVIT of Anne Shea Gaza by Advanced Cardio Sys., Guidant Sales in Support of [480-1] reply brief (fmt) (Entered: 10/06/2004)
10/06/2004		So Ordered granting [476-1] motion for an Extension of Time to File Reply Briefs Solely Regarding the Validity of the Boneau Patents reset Reply Brief Deadline to 10/8/04 re: [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 10/06/2004)
10/06/2004	482	Declaration of Karen Jacbos Louden enclosing a true and correct copy of the '984 patent (fmt) (Entered: 10/07/2004)
10/08/2004	483	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re pltfs.' list of fact witnesses for (1) CA No. 98-80; (2) CA NO. 04-34; and (3) CA NO. 98-478. (rld) (Entered: 10/12/2004)
10/08/2004	484	SEALED Reply Brief Filed by Medtronic Vascular, Medtronic USA Inc [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents (rld) (Entered: 10/12/2004)
10/08/2004	485	SEALED Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel (rld) (Entered: 10/12/2004)

10/08/2004	486	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [485-1] reply brief (rld) (Entered: 10/12/2004)
10/08/2004	487	SEALED Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations (rld) (Entered: 10/12/2004)
10/08/2004	488	SEALED AFFIDAVIT of Shea Gaza by Advanced Cardio Sys., Guidant Sales Re: [487-1] reply brief (rld) (Entered: 10/12/2004)
10/08/2004	489	SEALED Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) (rld) (Entered: 10/12/2004)
10/08/2004	490	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [489-1] reply brief (rld) (Entered: 10/12/2004)
10/08/2004	491	SEALED Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit (rld) (Entered: 10/12/2004)
10/08/2004	492	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [491-1] reply brief (rld) (Entered: 10/12/2004)
10/08/2004	493	SEALED Reply Brief Filed by Advanced Cardio Sys., Guidant Sales [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 (rld) (Entered: 10/12/2004)
10/08/2004	494	SEALED AFFIDAVIT of Frederick L. Cottrell by Advanced Cardio Sys., Guidant Sales Re: [493-1] reply brief (rld) (Entered: 10/12/2004)
10/12/2004		Deadline updated; reset Status Conference for 3:00 10/21/04 (rld) (Entered: 10/12/2004)
10/18/2004	495	CERTIFICATE OF SERVICE by Advanced Cardio Sys., Guidant Sales re list of potential rebuttal fact witnesses (fmt) (Entered: 10/19/2004)
10/20/2004	496	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Mauricio Flores to Appear Pro Hac Vice (fmt) (Entered: 10/20/2004)
10/21/2004		So Ordered granting [496-1] motion for Mauricio Flores to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 10/21/2004)
10/21/2004		Oral Argument held; Judge Robinson presiding; crt. rptr. Hawkins; re claim construction and summary jgm.; held jointly with CA No. 98-80 and 04-34-SLR. (rld) Modified on 10/22/2004 (Entered: 10/22/2004)
10/21/2004	497	NOTICE of Change of Proposed Claim Construction by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 10/22/2004)
10/22/2004		Oral Arugment continues from previous day; Judge Robinson presiding; crt. rptr.

		Hawkins; re patent issues and claim construction; held jointly with CA NO. 98-478 and 04-34-SLR. (rld) (Entered: 10/25/2004)
10/25/2004	498	TRANSCRIPT filed for dates of 10/21/04 Oral Argument; Judge Robinson presiding; Hawkins Reporting Service (fmt) (Entered: 10/26/2004)
10/25/2004	499	TRANSCRIPT filed for dates of 10/22/04 Oral Argument; Judge Robinson presiding; Hawkins Reporting Service; Volume 2 (fmt) (Entered: 10/26/2004)
10/28/2004	500	Letter to Deputy Clerk DiMeo from P. Bangle re notebooks of powerpoint slides used in conjunction with its oral arguments of 10/21 and 10/22; 3 of those slides have typographical errors; enclosing the corrected slides for substitution (fmt) (Entered: 10/29/2004)
11/04/2004	501	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re pltfs' revised witness list (fmt) (Entered: 11/04/2004)
11/05/2004	502	1st Amended Potential Fact Witness list by Advanced Cardio Sys., Guidant Sales (rld) (Entered: 11/08/2004)
11/16/2004	503	STIPULATION to extend filing of and briefing on motions in limine; with proposed order (rld) (Entered: 11/16/2004)
11/16/2004	504	NOTICE by Medtronic Vascular to take deposition of Steven Opolski on 11/23/04; Gary Johnson on 12/2/04; Sami Hamade on 12/7/04; Tim Limon on 12/7/04; Beverly Huss on 12/9/04; and Bjorn Svenson on 12/10/04 (fmt) (Entered: 11/17/2004)
11/17/2004		So Ordered granting [503-1] stipulation reset Motion in Limine Filing deadline to 12/3/04, responses due 12/17/04 (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 11/17/2004)
12/03/2004	505	STIPULATIONS concerning the presentation of evidence and argument during liability trial(s); with proposed order (rld) (Entered: 12/03/2004)
12/03/2004	506	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order in Limine no. 1 to exclude Medtronic's June 12, 2001 submission during prosecution of U.S. Patent '053 Answer Brief due 12/17/04 re: [506-1] motion (rld) (Entered: 12/03/2004)
12/03/2004	507	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order in Limine no. 2 to preclude the testimony of Medtronic's Patent Law Expert Don W. Martens Answer Brief due 12/17/04 re: [507-1] motion (rld) (Entered: 12/03/2004)
12/03/2004	508	SEALED MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order in Limine no. 3 to preclude Medtronic from introducing argument or evidence relating to its claim that ACS misappropriated trade secrets in the trial for the Boneau Patent Claim Answer Brief due 12/17/04 re: [508-1] motion (rld) (Entered: 12/03/2004)
12/03/2004	509	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order in Limine no. 4 to exclude testimony by Steven Opolski Answer Brief due 12/17/04 re: [509-1] motion (rld) (Entered: 12/03/2004)
12/03/2004	510	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order in Limine no.

		5 to exclude irrelevant evidence concerning Governmental investigations and FDA recalls Answer Brief due 12/17/04 re: [510-1] motion (rld) (Entered: 12/03/2004)
12/03/2004	511	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order in Limine no. 1 to preclude testimony, evidence, briefs, rulings, orders, and jgms. from other proceedings Answer Brief due 12/17/04 re: [511-1] motion (rld) (Entered: 12/07/2004)
12/03/2004	512	SEALED MOTION by Medtronic Vascular, Medtronic USA Inc in Limine no. 2 exclude certain irrelevant and unduly prejudicial evidence Answer Brief due 12/17/04 re: [512-1] motion (rld) Modified on 12/07/2004 (Entered: 12/07/2004)
12/03/2004	513	MOTION by Medtronic Vascular, Medtronic USA Inc in Limine no. 4 to preclude defts. from introducing evidence re standards of clinical usefulness post-dating the 8/24/1989 filing date of the '331 patent Answer Brief due 12/17/04 re: [513-1] motion (rld) (Entered: 12/07/2004)
12/03/2004	514	SEALED MOTION by Medtronic Vascular, Medtronic USA Inc in Limine no. 5 to preclude ACS from making reference to its license agreements with Cordis and BS Answer Brief due 12/17/04 re: [514-1] motion (rld) (Entered: 12/07/2004)
12/06/2004		So Ordered granting [505-1] stipulations concerning the presentation of evidence and argument during liability trial(s) (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 12/06/2004)
12/06/2004	516	Letter to Judge Robinson from K. Louden listing the motions in limine filed on 12/3/04; motions in limine filed in Ca No. 98-80-SLR are: No. 1, No. 2, No. 4, and No. 5 (rld) (Entered: 12/07/2004)
12/15/2004	517	Unopposed motion to extend brief schedule with proposed order (rld) (Entered: 12/15/2004)
12/15/2004		So Ordered granting [517-1] stipulation reset Answer Brief Deadline to 12/22/04 re: [510-1] motion in Limine no. 5 to exclude irrelevant evidence concerning Governmental investigations and FDA recalls, 12/22/04 re: [509-1] motion in Limine no. 4 to exclude testimony by Steven Opolski, 12/22/04 re: [508-1] motion in Limine no. 3 to preclude Medtronic from introducing argument or evidence relating to its claim that ACS misappropriated trade secrets in the trial for the Boneau Patent Claim, 12/22/04 re: [507-1] motion in Limine no. 2 to preclude the testimony of Medtronic's Patent Law Expert Don W. Martens, 12/22/04 re: [506-1] motion in Limine no. 1 to exclude Medtronic's June 12, 2001 submission during prosecution of U.S. Patent '053, 12/22/04 re: [514-1] motion in Limine no. 5 to preclude ACS from making reference to its license agreements with Cordis and BS, 12/22/04 re: [513-1] motion in Limine no. 4 to preclude defts. from introducing evidence re standards of clinical usefulness post-dating the 8/24/1989 filing date of the '331 patent, 12/22/04 re: [512-1] motion in Limine no. 2 exclude certain irrelevant and unduly prejudicial evidence, 12/22/04 re: [511-1] motion in Limine no. 1 to preclude testimony, evidence, briefs, rulings, orders, and jgms. from other proceedings (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 12/16/2004)
12/17/2004	518	MEMORANDUM OPINION (signed by Judge Sue L. Robinson) copies to: cnsl.

		(rld) (Entered: 12/17/2004)
12/17/2004	519	ORDER denying [408-1] motion for Partial Summary Judgment Under the Doctrine of Collateral Estoppel (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 12/17/2004)
12/22/2004	520	SEALED Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [514-1] motion in Limine no. 5 to preclude ACS from making reference to its license agreements with Cordis and BS (fmt) (Entered: 12/29/2004)
12/22/2004	521	SEALED Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [511-1] motion in Limine no. 1 to preclude testimony, evidence, briefs, rulings, orders, and jgms. from other proceedings (fmt) (Entered: 12/29/2004)
12/22/2004	522	SEALED Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [513-1] motion in Limine no. 4 to preclude defts. from introducing evidence re standards of clinical usefulness post-dating the 8/24/1989 filing date of the '331 patent (fmt) (Entered: 12/29/2004)
12/22/2004	523	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [507-1] motion in Limine no. 2 to preclude the testimony of Medtronic's Patent Law Expert Don W. Martens (fmt) Modified on 12/29/2004 (Entered: 12/29/2004)
12/22/2004	524	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [509-1] motion in Limine no. 4 to exclude testimony by Steven Opolski (fmt) (Entered: 12/29/2004)
12/22/2004	525	SEALED Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [508-1] motion in Limine no. 3 to preclude Medtronic from introducing argument or evidence relating to its claim that ACS misappropriated trade secrets in the trial for the Boneau Patent Claim (fmt) (Entered: 12/29/2004)
12/22/2004	526	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [506-1] motion in Limine no. 1 to exclude Medtronic's June 12, 2001 submission during prosecution of U.S. Patent '053 (fmt) (Entered: 12/29/2004)
12/22/2004	527	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [510-1] motion in Limine no. 5 to exclude irrelevant evidence concerning Governmental investigations and FDA recalls (fmt) (Entered: 12/29/2004)
12/22/2004	528	Joinder to BSC's Brief in Opposition to Pltfs' Motion in Limine No. 2 to Exclude Certain Testimony and Evidence by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 12/29/2004)
01/03/2005	529	Proposed Preliminary Jury instructions by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 01/03/2005)
01/03/2005	530	Proposed Jury Verdict Form filed by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 01/03/2005)
01/03/2005	531	Proposed Voir dire to the Jury Panel by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 01/03/2005)

01/03/2005	532	Boneau Proposed Jury instructions by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	533	Lau Proposed Jury instructions by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	534	Lau Proposed Preliminary Jury instructions by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	535	Proposed Template for Verdict Form in Boneau Case filed by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	536	Proposed Template for Verdict Form in Lau Case filed by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	537	Proposed Boneau Preliminary Jury instructions by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	538	Joint Proposed pre-trial order filed by Advanced Cardio Sys., Medtronic Vascular, Medtronic USA Inc, Guidant Sales (fmt) (Entered: 01/03/2005)
01/03/2005	539	Proposed Final Jury instructions by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 01/03/2005)
01/04/2005	540	Letter to Judge Robinson from L. Polizoti enclosing a floppy disk containing documents submitted on behalf of Medtronic Vascular, Inc. and Medtronic, USA, Inc. (fmt) (Entered: 01/04/2005)
01/04/2005	549	Letter to Clerk from P. Bangle re pretrial order filed by Medtronic Vascular; Medtronic's exhibit list, Exhibit 6 to the pretrial order, was omitted; copies of exhibit 6 enclosed for insertion; also, cover page to Medtonic's proposed jury instructions was incorrect; enclosing replacement cover pages (fmt) (Entered: 01/05/2005)
01/05/2005	541	MEMORANDUM ORDER construing disputed claim language in U.S. Patents '331, '278, '382, and '053 (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) Modified on 01/05/2005 (Entered: 01/05/2005)
01/05/2005	542	MEMORANDUM ORDER construing disputed claim language in U.S. Patents '154, '721, '893, '776, '167, '168, and '133 (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)
01/05/2005	543	MEMORANDUM OPINION (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)
01/05/2005	544	ORDER granting [406-1] motion for Summary Judgment That Plaintiffs' State Law Claims Are Time-Barred by Delaware's Statute of Limitations, granting [404-1] motion for Summary Judgment that Michael D. Boneau is Not an Inventor of the Lau Patents and that the Lau Patents are Not Invalid Under 35 U.S.C. section 102(F) (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)
01/05/2005	545	MEMORANDUM OPINION (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)

01/05/2005	546	ORDER granting [426-1] motion for Summary Judgment That Its Stents Do Not Infringe Any of the Asserted Claims of the Boneau Patents-In-Suit, denying [414-1] motion for Partial Summary Judgment That the ACS Accused Stents Literally Infringe Claim 1 of U.S. Patent No. 5,879,382 and Claim 27 of U.S. Patent No. 6,344,053, denying [410-1] motion for Partial Summary Judgment That Vascular's Accused Products Do Not Infringe The Asserted Claims of the Lau Patents, denying [402-1] motion for Summary Judgment of Invalidity of the Boneau Patents-In-Suit, granting [400-1] motion for Summary Judgment that Medtronic's "S7" and "Driver" Stents Literally Infringe Claim 1 of U.S. Patent No. 6,432,133 (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)
01/05/2005	547	ORDER granting [513-1] motion in Limine no. 4 to preclude defts. from introducing evidence re standards of clinical usefulness post-dating the 8/24/1989 filing date of the '331 patent, granting [512-1] motion in Limine no. 2 exclude certain irrelevant and unduly prejudicial evidence, denying [511-1] motion in Limine no. 1 to preclude testimony, evidence, briefs, rulings, orders, and jgms. from other proceedings (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)
01/05/2005	548	ORDER granting [510-1] motion in Limine no. 5 to exclude irrelevant evidence concerning Governmental investigations and FDA recalls, granting [509-1] motion in Limine no. 4 to exclude testimony by Steven Opolski, granting [508-1] motion in Limine no. 3 to preclude Medtronic from introducing argument or evidence relating to its claim that ACS misappropriated trade secrets in the trial for the Boneau Patent Claim, granting [507-1] motion in Limine no. 2 to preclude the testimony of Medtronic's Patent Law Expert Don W. Martens, granting [506-1] motion in Limine no. 1 to exclude Medtronic's June 12, 2001 submission during prosecution of U.S. Patent '053, granting [514-1] motion in Limine no. 5 to preclude ACS from making reference to its license agreements with Cordis and BS (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/05/2005)
01/05/2005	550	Proposed Voir dire to the Jury Panel by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/05/2005)
01/05/2005		Mooting both: [424-1] motion For Claim Construction of the Boneau Patent (per D.I. 541) and mooting [418-1] motion For Claim Construction of the Lau Patent (per D.I. 542). (rld) (Entered: 01/06/2005)
01/06/2005	551	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Michael V. O'Shaughnessy to Appear Pro Hac Vice (fmt) (Entered: 01/06/2005)
01/06/2005	552	MOTION by Advanced Cardio Sys., Guidant Sales with Proposed Order for Michael Andrew Holtman to Appear Pro Hac Vice (fmt) (Entered: 01/06/2005)
01/06/2005		Pre-trial conference held; Judge Robinson presiding; Court Rptr. V. Gunning present; held jointly w/ 98-478-SLR and 04-34-SLR (fmt) (Entered: 01/07/2005)
01/07/2005	554	Steno Notes for 1/6/05 for CA NO. 98-80; 98-478; and 04-34-SLR; Judge Robinson presiding; crt. rptr. V. Gunning (rld) (Entered: 01/10/2005)

01/07/2005	555	TRANSCRIPT filed [0-0] pre-trial conference for dates of 1/6/05; Judge Robinson presiding; crt. rptr. V. Gunning (rld) (Entered: 01/10/2005)
01/10/2005	553	ORDER granting [552-1] motion for Michael Andrew Holtman to Appear Pro Hac Vice, granting [551-1] motion for Michael V. O'Shaughnessy to Appear Pro Hac Vice; IN THE FUTURE the parties shall submit one order for multiple admission motions (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 01/10/2005)
01/11/2005		Deadline updated; reset Jury Trial for 9:30 2/7/05 (rld) (Entered: 01/11/2005)
01/13/2005	556	NOTICE of change of address for firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP in Washington, DC by Advanced Cardio Sys., Guidant Sales (rld) (Entered: 01/13/2005)
01/14/2005		Deadline updated; Telephone Conference for 9:00 1/19/05 (rld) (Entered: 01/14/2005)
01/18/2005	557	MOTION by Medtronic Vascular, Medtronic USA Inc for Reconsideration of [546-1] order, [545-1] order of the court's grant of sum. jgm. of infringement of Claim 1 of the '133 patent Answer Brief due 2/1/05 re: [557-1] motion (rld) (Entered: 01/18/2005)
01/18/2005	558	MOTION by Medtronic Vascular, Medtronic USA Inc for Reconsideration of [544-1] order, [543-1] order of court's grant of sum. jgm. that pltfs.' state law claims are time-barred Answer Brief due 2/1/05 re: [558-1] motion (rld) (Entered: 01/18/2005)
01/18/2005	559	SEALED MOTION by Medtronic Vascular, Medtronic USA Inc for Reconsideration of [544-1] order, [543-1] order of the court's grant of sum. jgm. that Mr. Boneau is not an inventor on the Lau Patents Answer Brief due 2/1/05 re: [559-1] motion (rld) (Entered: 01/18/2005)
01/19/2005		Tele-conference held; Judge Robinson presiding; crt. rptr. V. Gunning. (rld) (Entered: 01/19/2005)
01/19/2005		Deadline updated; set Telephone Conference for 9:00 2/2/05 (rld) (Entered: 01/19/2005)
01/19/2005	560	CERTIFICATE OF SERVICE by Medtronic Vascular, Medtronic USA Inc re 2nd revised witness list (fmt) (Entered: 01/20/2005)
01/19/2005	561	Letter to Judge Robinson from A. Shea Gaza enclosing ACS' proposed form of Final Judgment (fmt) (Entered: 01/20/2005)
01/19/2005	562	Letter to Judge Robinson from K. Jacobs Louden enclosing Medtronic Vascular's proposed form of Final Judgment (fmt) (Entered: 01/20/2005)
01/20/2005	563	SEALED MOTION by Medtronic Vascular, Medtronic USA Inc in Limine to preclude evidence or argument re the Palmaz stent that conflicts with the court's findings Answer Brief due 2/3/05 re: [563-1] motion (rld) (Entered: 01/21/2005)
01/20/2005	564	TRANSCRIPT filed [0-0] telephone conference for dates of 1/19/05; Judge Robinson presiding; crt. rptr. V. Gunning (rld) (Entered: 01/21/2005)
01/26/2005	565	NOTICE of Outstanding Issues by Advanced Cardio Sys., Guidant Sales (fmt)

		(Entered: 01/26/2005)
01/26/2005	566	NOTICE of Issues to Be Raised At the February 2, 2005 Teleconference by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 01/26/2005)
01/26/2005	567	Revised Trial Exhibit list by Advanced Cardio Sys., Guidant Sales (fmt) (Entered: 01/26/2005)
01/27/2005	568	Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [557-1] motion for Reconsideration of [546-1] order, [545-1] order of the court's grant of sum. jgm. of infringement of Claim 1 of the '133 patent - Reply Brief due 2/3/05 (fmt) (Entered: 01/28/2005)
01/27/2005	569	Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [559-1] motion for Reconsideration of [544-1] order, [543-1] order of the court's grant of sum. jgm. that Mr. Boneau is not an inventor on the Lau Patents - Reply Brief due 2/3/05 (fmt) (Entered: 01/28/2005)
01/27/2005	570	Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [558-1] motion for Reconsideration of [544-1] order, [543-1] order of court's grant of sum. jgm. that pltfs.' state law claims are time-barred - Reply Brief due 2/3/05 (fmt) (Entered: 01/28/2005)
01/28/2005	571	Answer Brief Filed by Advanced Cardio Sys., Guidant Sales [563-1] motion in Limine to preclude evidence or argument re the Palmaz stent that conflicts with the court's findings (fmt) (Entered: 01/31/2005)
01/31/2005		Deadline updated; set hearing for 9:00 2/2/05 instead of T/C (fmt) Modified on 01/31/2005 (Entered: 01/31/2005)
01/31/2005		Deadline updated; reset hearing for 9:00 2/2/05 (fmt) Modified on 01/31/2005 (Entered: 01/31/2005)
02/01/2005	572	Medtronic Vascular, Medtronic USA Inc response to [565-1] ACS's notice of outstanding issues (fmt) (Entered: 02/01/2005)
02/01/2005	573	Letter to Judge Robinson from F. Cottrell, III enclosing a disk containing docs in Word Perfect format (fmt) (Entered: 02/01/2005)
02/01/2005	574	The Parties' Joint Proposed Preliminary Jury instructions (fmt) (Entered: 02/01/2005)
02/01/2005	575	The Parties' Proposed Voir dire questions to the Jury Panel (fmt) (Entered: 02/01/2005)
02/01/2005	576	The Parties' Respective Verdict Forms (fmt) (Entered: 02/01/2005)
02/01/2005	577	Steno Notes for 1/19/05 Teleconf. (fmt) (Entered: 02/01/2005)
02/01/2005	578	ORDER denying [563-1] motion in Limine to preclude evidence or argument re the Palmaz stent that conflicts with the court's findings (signed by Judge Sue L. Robinson) copies to: cnsl (fmt) (Entered: 02/02/2005)
02/02/2005	579	MEMORANDUM ORDER denying [559-1] motion for Reconsideration of [544-1] order, [543-1] order of the court's grant of sum. jgm. that Mr. Boneau is not an inventor on the Lau Patents, denying [558-1] motion for Reconsideration of [544-1] order,

		[543-1] order of court's grant of sum. jgm. that pltfs.' state law claims are time-barred, granting [557-1] motion for Reconsideration of [546-1] order, [545-1] order of the court's grant of sum. jgm. of infringement of Claim 1 of the '133 patent (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 02/02/2005)
02/02/2005	580	TRANSCRIPT filed for dates of 2/2/05 Hearing; Judge Robinson presiding; Court Rptr. V. Gunning (fmt) (Entered: 02/02/2005)
02/02/2005	581	Letter to Judge Robinson from K. Jacobs Louden re status of the Boneau '331 patent as prior art to the Lau patents and the state of the record concerning Medtronic's allegations of inequitable conduct (fmt) (Entered: 02/02/2005)
02/02/2005	582	JUDGMENT for Advanced Cardio Sys., Guidant Sales against Medtronic Vascular, Medtronic USA Inc with respect to the Boneau patents-in-suit; ACS's counterclaim for declaratory jgm. of patent invalidity and unenforceability of the Boneau patents-in-suit is dismissed without prejudice; final jgm. is entered in favor of ACS and agst. Medtronic with respect to Medtronic's state law claims for trade secret misappropriation, breach of contract, actual fraud, unjust enrichments, and unfair competition; Medtronic shall pay ACS's costs incurred in defending agst. pltf.'s claims for infringement of the Boneau patents and state law claims; court expressly determines no just reason for delay in entering this final jgm. until final determination of the remaining claims in this case for reasons and grounds including that an immediate appeal will expedite or avert further litigation. (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 02/02/2005)
02/03/2005	583	Letter to Judge Robinson from F. Cottrell, III enclosing an agreed-to form of Order realigning the parties and modifying the caption (fmt) (Entered: 02/03/2005)
02/03/2005	584	Letter to Judge Robinson from F. Cottrell, III responding to Medtronic's letter to the Court of 2/2/05 (fmt) (Entered: 02/03/2005)
02/03/2005		Status conference held in Courtroom 6B; re jury trial; Judge Robinson presiding; crt. rptr. V. Gunning present. (rld) (Entered: 02/03/2005)
02/04/2005	585	ORDER for REALIGNMENT OF PARTIES AND CAPTION in light of court's recent rulings, including Opinions and Orders issued on 1/5/05, the parties are realigned and the caption is changed to make Medtronic the deft. and ACD the pltf. from this point forward; all papers filed shall reflect this change (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 02/04/2005)
02/04/2005		Per D.I. 585 the party roles have been switched; in Editor the changes have been noted in the Title; Party Information, and Party Text as of 2/4/05 (rld) (Entered: 02/04/2005)
02/04/2005	586	ORDER re Medtronic's letter re status of Boneau '331 patent as prior art and papers submitted in connection therewith; said patent is admissible as relevant prior art; limitations to admissibility of Mr. Boneau's testimony; Medtronic will have to provide a proffer as to why Mr. Boneau's testimony is admissible in light of stated restrictions in this order (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 02/04/2005)

02/04/2005	587	ORDER having received multiple requests for reconsideration, the latest being one directed to the court's interpretation of the claim limitation "cylindrical elements"; the court's interp. is hereby withdrawn, the court will interp. said limitation at the conclusion of evidence for purpose of instructing the jury; parties will present evidence as they deem appropriate in support of their respective interps. (signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 02/04/2005)
02/04/2005	588	Letter to Judge Robinson from K. Jacobs Louden responding to ACS's letter to the Court (fmt) (Entered: 02/04/2005)
02/04/2005	589	**Terminated attorney Philip Henry Bangle for Medtronic USA Inc, attorney Philip Henry Bangle for Medtronic Vascular, attorney Philip Henry Bangle for Medtronic USA Inc, attorney Philip Henry Bangle for Medtronic Vascular Notice of attorney appearance for Medtronic Vascular, Medtronic USA Inc by Karen Jacobs Louden (fmt) (Entered: 02/04/2005)
02/07/2005	590	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order for Michael R. O'Neill to Appear Pro Hac Vice (rld) (Entered: 02/07/2005)
02/07/2005	591	Voir dire to the Jury Panel (fmt) (Entered: 02/07/2005)
02/07/2005	592	Preliminary Jury instructions (fmt) (Entered: 02/07/2005)
02/07/2005		So Ordered granting [590-1] motion for Michael R. O'Neill to Appear Pro Hac Vice (signed by Judge Sue L. Robinson) Notice to all parties. (rld) (Entered: 02/07/2005)
02/07/2005		Jury trial held; DAY 1; Judge Robinson presiding; Court Rptr. V. Gunning present (fmt) (Entered: 02/07/2005)
02/08/2005	593	MOTION by Medtronic Vascular, Medtronic USA Inc with Proposed Order To Preclude ACS from Offering Evidence on Invalidity Until After Medtronic Concludes its Case in Chief Answer Brief due 2/22/05 re: [593-1] motion (fmt) (Entered: 02/08/2005)
02/08/2005		Jury trial held; DAY 2; Judge Robinson presiding; Court Rptr. V. Gunning present; D.I. # 593 granted in part and denied in part in open court by Judge Robinson (fmt) (Entered: 02/08/2005)
02/08/2005		So Ordered IN OPEN COURT granting in part, denying in part [593-1] motion To Preclude ACS from Offering Evidence on Invalidity Until After Medtronic Concludes its Case in Chief (fmt) (Entered: 02/08/2005)
02/08/2005	594	ORDER having reviewed papers submitted re status of the Boneau '331 patent as prior art and argument of inequitable conduct (D.I. 581,584, 588); ordered that the Boneau patent application is relevant to Medtronic's inequitable conduct defense; court will schedule time for a bench trial on Medtronic's inequitable conduct defenses(signed by Judge Sue L. Robinson) copies to: cnsl. (rld) (Entered: 02/08/2005)
02/09/2005	595	MOTION by Advanced Cardio Sys. to exclude deposition testimony of LILIP LAU and FARHAD KHOSRAVI (rld) (Entered: 02/09/2005)

02/09/2005	596	Answer Brief Filed by Medtronic Vascular, Medtronic USA Inc [595-1] motion to exclude deposition testimony of LILIP LAU and FARHAD KHOSRAVI (rld) (Entered: 02/09/2005)
02/09/2005	597	Supplemental MEMORANDUM by Medtronic USA Inc re Proposed Testimony of LILIP LAU (rld) (Entered: 02/09/2005)
02/09/2005		Jury trial held; DAY 3; Judge Robinson presiding; Court Rptr. V. Gunning present (fmt) (Entered: 02/10/2005)
02/10/2005		Jury trial held; DAY 4; Judge Robinson presiding; Court Rptr. V. Gunning present; D.I. 595 was Granted in Part and Denied in Part on the record (fmt) (Entered: 02/10/2005)
02/10/2005		So Ordered IN OPEN COURT granting in part, denying in part [595-1] motion to exclude deposition testimony of LILIP LAU and FARHAD KHOSRAVI (by Judge Sue L. Robinson) (fmt) (Entered: 02/10/2005)
02/10/2005	598	MOTION by Medtronic Vascular, Medtronic USA Inc for Judgment as a Matter of Law Answer Brief due 2/24/05 re: [598-1] motion (fmt) (Entered: 02/10/2005)
02/10/2005	599	Proposed Supplemental Jury instruction on the Cylindrical Element Claim Term by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 02/10/2005)
02/11/2005	600	Letter to Clerk from K. Jacobs Louden enclosing corrected copy of D.I. 598 (fmt) (Entered: 02/11/2005)
02/11/2005	601	Proffer of Proposed Testimony of Witness Michael Boneau by Medtronic Vascular, Medtronic USA Inc (fmt) (Entered: 02/11/2005)
02/11/2005	602	ORDER directing Clerk of Court to furnish lunch for 8 jurors from 2/7-11/2005. (signed by Judge Sue L. Robinson) copies to: Financial Admin. (rld) (Entered: 02/11/2005)
02/11/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Jury Trial; DAY5; held on 2/11/2005. (Court Reporter V. Gunning.) (fmt,) (Entered: 02/14/2005)
02/14/2005	603	ORDER testimony of M. Boneau shall be confined to the following topics (SEE Order) as described in defts. proffer, D.I.601, filed by Medtronic USA, Inc.,, Medtronic Ave Inc., . Signed by Judge Sue L. Robinson on 2/14/05. (rld,) (Entered: 02/14/2005)
02/14/2005	604	MEMORANDUM in response to ACS's obj. to the proposed deposition testimony of John Hartigan, filed by Medtronic Ave Inc., Medtronic USA, Inc.. (rld,) (Entered: 02/14/2005)
02/14/2005	605	ANSWERING BRIEF in Opposition re 598 Motion for Judgment as a Matter of Law filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 2/22/2005. (fmt,) (Entered: 02/14/2005)
02/15/2005	606	Revised DEPOSITION DESIGNATION of Testimony of John Hartigan by Medtronic Ave Inc., Medtronic USA, Inc..(rld,) (Entered: 02/15/2005)
02/15/2005	607	Amended Proffer of proposed testimony of witness Michael Boneau in view of court's

		order of 2/14/05, by Medtronic Ave Inc., Medtronic USA, Inc.. (rld,) (Entered: 02/15/2005)
02/15/2005	608	Objections to and MOTION to preclude ACS from introducing deposition testimony from Bradley Jendersee and Robert Lashinski - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (rld,) (Entered: 02/15/2005)
02/15/2005	609	Letter to Clerk from K. Jacobs Louden regarding D.I. 608; inadvertently filed an incorrect Exhibit A and enclosing a replacement exhibits. (fmt,) (Entered: 02/15/2005)
02/15/2005	610	Proposed Additional Jury Instructions by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (fmt,) (Entered: 02/15/2005)
02/15/2005	611	Letter to Judge Robinson from A. Shea Gaza Enclosing D.I. 610. (fmt,) (Entered: 02/15/2005)
02/15/2005	612	Letter to Judge Robinson from A. Shea Gaza enclosing a disk containing a WordPerfect version of ACS's Proposed Addtional Jury Instructions. (fmt,) (Entered: 02/16/2005)
02/15/2005	613	MEMORANDUM on the Proper Construction of "Cylindrical Element" and "Undulating Pattern" by Medtronic Ave Inc., Medtronic USA, Inc.. (fmt,) (Entered: 02/16/2005)
02/15/2005	614	MOTION to Strike Certain Trial Exhibits and Related Testimony of Dr. Jerome Segal - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (fmt,) (Entered: 02/16/2005)
02/15/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Jury Trial held on 2/15/2005; DAY 6; Pltfs' Oral Motions for JMOL (Court Reporter V. Gunning.) (fmt,) (Entered: 02/16/2005)
02/16/2005	615	ORDER having reviewed patents at issue, the prosecution history, the materials submitted by the parties and the evidence presented at trial; it is ordered that the construction of the claim limitations "undulating pattern" and "undulating portions" is "a wavelike pattern", analysis follows SEE order for further details.. Signed by Judge Sue L. Robinson on 2/16/05. (rld,) (Entered: 02/16/2005)
02/16/2005	616	MOTION for Pro Hac Vice Appearance of Attorney David Stein - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (rld,) (Entered: 02/16/2005)
02/16/2005	617	Proposed Curative Jury Instruction with respect to ACS cnsl.'s improper questioning of M. Boneau by Medtronic Ave Inc., Medtronic USA, Inc.. (rld,) (Entered: 02/16/2005)
02/16/2005	618	Proffer re Anticipation by Medtronic Ave Inc., Medtronic USA, Inc.. (rld,) (Entered: 02/16/2005)
02/16/2005	619	ANSWERING BRIEF in Opposition re 614 MOTION to Strike filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 2/24/2005. (rld,) (Entered: 02/16/2005)
02/16/2005	620	ANSWERING BRIEF in Opposition re 608 MOTION in Limine filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 2/24/2005. (rld,) (Entered: 02/16/2005)

02/16/2005	621	MOTION for Judgment as a Matter of Law that the accused Medtronic products infringe the asserted claims of the Lau patents-in-suit - filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (rld,) (Entered: 02/16/2005)
02/16/2005	622	MOTION for Judgment as a Matter of Law that the '154, '167 and '133 patents are (1) not invalid as anticipated, (2) not invalid under 35 U.S.C. 112, and (3) not invalid as obvious - filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (rld,) (Entered: 02/16/2005)
02/16/2005	623	Request for Judicial NOTICE of pursuant to Fed. R. Evid. 201 that ACS is the owner by assignment of U.S. Patents '154, '167, '168, and '133 by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation (rld,) (Entered: 02/16/2005)
02/16/2005	624	ORDER GRANTING D.I. 593, Motion filed by Medtronic USA, Inc.,, Medtronic Ave Inc., pltfs. shall present their infringement case; defts. shall present their invalidity case and their defense to infringement; pltfs. shall present their defense to invalidity, there shall be no rebuttal case, closing arguments shall follow the same order unless otherwise agreed by the parties. Signed by Judge Sue L. Robinson on 2/16/05. (rld,) (Entered: 02/16/2005)
02/16/2005		SO ORDERED, re 616 MOTION for Pro Hac Vice Appearance of Attorney David Stein filed by Medtronic USA, Inc.,, Medtronic Ave Inc., . Signed by Judge Sue L. Robinson on 2/16/05. (rld,) (Entered: 02/16/2005)
02/16/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Jury Trial held on 2/16/2005; DAY 7; Defts' Renewed Oral Motions for JMOL; ACS's Oral Motions for JMOL, Renewed Certain Motions for JMOL. (Court Reporter V. Gunning.) (fmt,) (Entered: 02/16/2005)
02/17/2005	625	PROFFER on the Secondary Considerations Jury Instruction by Medtronic Ave Inc., Medtronic USA, Inc.. (fmt,) (Entered: 02/17/2005)
02/17/2005	626	PROFFER on the Timing of its Products by Medtronic Ave Inc., Medtronic USA, Inc.. (fmt,) (Entered: 02/17/2005)
02/17/2005	627	REVISED PROFFER Regarding Anticipation by Medtronic Ave Inc., Medtronic USA, Inc.. (fmt,) (Entered: 02/17/2005)
02/17/2005		SO ORDERED In Open Court on 2/16/05 and 2/17/05 denying 598 Motion for Judgment as a Matter of Law, granting 608 Motion in Limine, granting in part and denying in part 614 Motion to Strike, denying 621 Motion for Judgment as a Matter of Law, granting in part and denying in part 622 Motion for Judgment as a Matter of Law ; By Judge Sue L. Robinson (fmt,) (Entered: 02/17/2005)
02/17/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Jury Trial held on 2/17/2005; DAY 8; Closings (Court Reporter V. Gunning.) (fmt,) (Entered: 02/17/2005)
02/18/2005	628	CHARGE TO THE JURY dated 2/17/05; Read on 2/18/05 (fmt,) (Entered: 02/18/2005)

02/18/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Jury Trial; DAY 9; completed on 2/18/2005. (Court Reporter V. Gunning.) (fmt,) (Entered: 02/18/2005)
02/18/2005	629	JURY VERDICT; Medtronic Stents Infringe; Patents are valid(fmt,) (Entered: 02/18/2005)
02/22/2005	630	ORDER directing Clerk of Court to furnish lunch for 8 jurors from 2/15-18/2005.. Signed by Judge Sue L. Robinson on 2/22/05. (rld,) (Entered: 02/22/2005)
02/22/2005	631	TRANSCRIPT of Jury Trial held on 2/7/05 before Judge Robinson; VOLUME A; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	632	TRANSCRIPT of Jury Trial held on 2/8/05 before Judge Robinson; VOLUME B; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	633	TRANSCRIPT of Jury Trial held on 2/9/05 before Judge Robinson; VOLUME C; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	634	TRANSCRIPT of Jury Trial held on 2/10/05 before Judge Robinson; VOLUME D; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	635	TRANSCRIPT of Jury Trial held on 2/11/05 before Judge Robinson; VOLUME E; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	636	TRANSCRIPT of Jury Trial held on 2/15/05 before Judge Robinson; VOLUME F; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	637	TRANSCRIPT of Jury Trial held on 2/16/05 before Judge Robinson; VOLUME G; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	638	TRANSCRIPT of Jury Trial held on 2/17/05 before Judge Robinson; VOLUME H; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
02/22/2005	639	TRANSCRIPT of Jury Trial held on 2/18/05 before Judge Robinson; VOLUME I; Court Reporter: V. Gunning and L. Dibbs. (Transcript on file in Clerk's Office) (fmt,) (Entered: 02/23/2005)
03/01/2005		Set Deadlines/Hearings: Telephone Conference set for 3/2/2005 11:00 AM before Honorable Sue L. Robinson. (rld,) (Entered: 03/01/2005)
03/02/2005	640	NOTICE OF APPEAL to the Federal Circuit of 582 Judgment,,,. Appeal filed by Medtronic USA, Inc.. Time of Filing: 12:35 p.m.. (Louden, Karen) (Entered: 03/02/2005)

03/02/2005	641	CERTIFICATE OF SERVICE of Notice of Appeal by Medtronic Ave Inc. re 640 Notice of Appeal (Federal Circuit) (Louden, Karen) (Entered: 03/02/2005)
03/02/2005		USCA Appeal Fees received: $ 255, receipt number 138334 re 640 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc.,. (fmt,) (Entered: 03/03/2005)
03/02/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 3/2/2005. Re: remaining pending issues in this case post-jury trial. (Court Reporter Hawkins (Heather).) (rld,) (Entered: 03/04/2005)
03/03/2005	642	TRANSCRIPT of Teleconference held on 3/2/05 before Judge Robinson. Court Reporter: Hawkins Reporting Service. (Transcript on file in Clerk's Office) (fmt,) (Entered: 03/04/2005)
03/08/2005		Notice of Appeal and Docket Sheet to US Court of Appeals for the Federal Circuit re 640 Notice of Appeal (Federal Circuit). (els,) (Entered: 03/08/2005)
03/08/2005		Copy of 640 Notice of Appeal (Federal Circuit) to: The Honorable Sue L. Robinson, Frederick L. Cottrell, III Transmittal to Karen Jacobs Louden (els,) (Entered: 03/08/2005)
03/08/2005		Notification regarding 640 Notice of Appeal (Federal Circuit) sent to Reporter Gaffigan (els,) (Entered: 03/08/2005)
03/08/2005		Notification regarding 640 Notice of Appeal (Federal Circuit) sent to Reporter Gunning (els,) (Entered: 03/08/2005)
03/10/2005	643	STIPULATION Briefing Schedule re: Post-Trial Motions re Telephone Conference, 642 Transcript *held on March 2, 2004* by Advanced Cardiovascular Systems, Inc.. (Cottrell, Frederick) (Entered: 03/10/2005)
03/11/2005		SO ORDERED, re 643 Stipulation filed by Advanced Cardiovascular Systems, Inc., Set Post-Trial Briefing Schedule: Opening Brief due 4/18/2005.Answering Brief due 5/18/2005.Reply Brief due 6/1/2005; in addition; parties will file by 4/18/05 memoranda of law to assist the court in deciding when and how to proceed with damages/willfulness phase of these proceedings; if necessary, parties may file responses to the memoranda by 5/18/05.Signed by Judge Sue L. Robinson on 3/11/05. (rld,) (Entered: 03/11/2005)
03/17/2005	644	TRANSCRIPT REQUEST by Medtronic Ave Inc. re 640 Notice of Appeal (Federal Circuit) (Louden, Karen) (Entered: 03/17/2005)
03/18/2005		Certified List in Lieu of Record Transmitted to US Court of Appeals re 640 Notice of Appeal (Federal Circuit). Exit certified copies of docket entries indicating record complete for appeal purposes. (eew) (Entered: 03/18/2005)
03/21/2005	645	ORDER of USCA for the Federal Circuit. Decision of USCA: Appeals Are Consolidated. (fmt,) (Entered: 03/22/2005)
03/21/2005	646	NOTICE of Docketing Record on Appeal from USCA for the Federal Circuit re 640 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc.,. USCA Case Number 05-1280 (fmt,) (Entered: 03/22/2005)

03/28/2005		Set Deadlines/Hearings: Bench Trial set for 6/7-8/2005 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson, re: inequitable conduct. (rld,) (Entered: 03/28/2005)
03/30/2005	647	ORDER,Setting Hearings Bench Trial re inequitable conduct set for 6/7/2005 09:30 AM in Courtroom 6B before Honorable Sue L. Robinson.. Signed by Judge Sue L. Robinson on 3/30/05. (rld,) (Entered: 03/30/2005)
04/07/2005	648	SEALED TRANSCRIPT (VOLUME I) of Jury Trial held on 2/18/05 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt,) (Entered: 04/07/2005)
04/18/2005	649	MEMORANDUM in Support *[Plaintiffs' Memorandum Regarding Damages]* filed by Advanced Cardiovascular Systems, Inc..Answering Brief/Response due date per Local Rules is 5/2/2005; per 3/11/05 order response due by 5/18/05 (Gaza, Anne) Modified on 4/19/2005 (fmt,). (Entered: 04/18/2005)
04/18/2005	650	MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)* - filed by Medtronic USA, Inc.. (Louden, Karen) (Entered: 04/18/2005)
04/18/2005	651	MOTION for Judgment as a Matter of Law *(RENEWED)* - filed by Medtronic USA, Inc.. (Louden, Karen) (Entered: 04/18/2005)
04/18/2005	652	SEALED RESPONSE to Order re SO ORDERED,, Set Briefing Schedule, *Medtronic's Submission Regarding the Trial of Damages and Willfulness* filed by Medtronic USA, Inc.. (Attachments: # 1 Exhibit Exhibits A-C)(Louden, Karen) (Entered: 04/18/2005)
04/18/2005	653	OPENING BRIEF in Support re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)* filed by Medtronic USA, Inc..Answering Brief/Response due date per Local Rules is 5/2/2005. (Attachments: # 1 Exhibit Exhibits A-C)(Louden, Karen) Additional attachment(s) added on 4/20/2005 (fmt,). (Entered: 04/18/2005)
04/18/2005	654	OPENING BRIEF in Support re 651 MOTION for Judgment as a Matter of Law *(RENEWED)* filed by Medtronic USA, Inc..Answering Brief/Response due date per Local Rules is 5/2/2005. (Attachments: # 1 Exhibit Exhibits A-D)(Louden, Karen) Additional attachment(s) added on 4/20/2005 (fmt,). (Entered: 04/18/2005)
04/20/2005	655	Letter to Court from Karen Jacobs Louden regarding Enclosing disk with corrected brief and a corrected title page. (Louden, Karen) (Entered: 04/20/2005)
04/20/2005		CORRECTING ENTRY: PDF files have been replaced for D.I. 653 (Opening Brief In Support of its Motion for New Trial) and D.I. 654 (Opening Brief In Support of its Renewed Motion for Judgment As A Matter of Law) See D.I. 655 (fmt,) (Entered: 04/20/2005)
04/27/2005	656	REDACTED VERSION *of D.I. 652 Medtronic's Submission Regarding The Trial Of Damages And Willfulness* by Medtronic Ave Inc.. (Attachments: Exhibit A# 1)(Louden, Karen) Modified on 4/28/2005 (fmt,). Additional attachment(s) added on 2/5/2007 (rld,). (Entered: 04/27/2005)

05/03/2005	657	ORDER Setting Hearings: Pretrial Conference set for 5/23/2005 04:30 PM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 5/3/05. (rld,) (Entered: 05/03/2005)
05/13/2005	658	STIPULATION [that the Supplemental Pretrial Order Regarding the Inequitable Conduct Trial shall be filed on or before May 20, 2005] by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Gaza, Anne) (Entered: 05/13/2005)
05/13/2005	659	STIPULATION Amended Stipulation and Order Regarding Schedule For Post-Trial Motions re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)*, 643 Stipulation, 651 MOTION for Judgment as a Matter of Law *(RENEWED)* by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Gaza, Anne) (Entered: 05/13/2005)
05/16/2005		SO ORDERED, re 658 Stipulation filed by Advanced Cardiovascular Systems, Inc.,, Guidant Sales Coporation, and 659 Stipulation, filed by Advanced Cardiovascular Systems, Inc.,, Guidant Sales Coporation,, Set Briefing Schedule: for D.I. 650 and 651:Answering Brief due 6/17/2005.Reply Brief due 7/11/2005.Supplemental pretrial order re inequitable conduct trial shall be due by 5/20/05. Signed by Judge Sue L. Robinson on 5/13/05. (rld,) (Entered: 05/16/2005)
05/16/2005	660	NOTICE to Take Deposition of Edward J. Lynch on May 20, 2005 by Medtronic Ave Inc..(Louden, Karen) (Entered: 05/16/2005)
05/18/2005	661	SEALED STATEMENT *Medtronic's Corrected Submission Regarding The Trial Of Damages And Willfulness* by Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 05/18/2005)
05/18/2005	662	ANSWERING BRIEF in Opposition *Medtronic's Response To Plaintiff's Memorandum Regarding Damages (D.I. 649)* filed by Medtronic Ave Inc..Reply Brief due date per Local Rules is 5/25/2005. (Louden, Karen) Modified on 5/19/2005 (fmt,). (Entered: 05/18/2005)
05/18/2005	663	ANSWERING BRIEF in Opposition *[Plaintiffs' Response To Medtronic's Submission Regarding The Trial Of Damages and Willfulness] (D.I. 652)* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 5/25/2005. (Attachments: # 1 Exhibit 1-3)(Gaza, Anne) Modified on 5/19/2005 (fmt,). (Entered: 05/18/2005)
05/20/2005	664	Proposed Pretrial Order *Supplemental* by Advanced Cardiovascular Systems, Inc., Medtronic Ave Inc., Medtronic USA, Inc., Guidant Sales Coporation. (Attachments: # 1 Exhibit 1-5# 2 Exhibit 6# 3 Exhibit 7-15)(Polizoti, Leslie) (Entered: 05/20/2005)
05/23/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Final Pretrial Conference held on 5/23/2005 for upcoming bench trial. (Court Reporter V. Gunning.) (rld,) (Entered: 05/25/2005)
05/24/2005	665	TRANSCRIPT of Pretrial Conference held on 5/23/05 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt,) (Entered: 05/24/2005)
06/02/2005	666	REDACTED VERSION OF D.I. 661 (STATEMENT) *Redacted Medtronic's*

		Corrected Submission Regarding The Trial Of Damages And Willfulness by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A, B & C)(Louden, Karen) Modified on 6/2/2005 (fmt,). (Entered: 06/02/2005)
06/03/2005	667	Letter to The Honorable Sue L. Robinson from Leslie A. Polizoti regarding request permission to retrieve physical exhibit DTX 86. (Polizoti, Leslie) (Entered: 06/03/2005)
06/07/2005	668	MOTION Medtronic's Trial Memorandum To Prevent ACS From Relying On The Attorney-Client Privilege As Both A Sword And A Shield - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 06/07/2005)
06/07/2005	669	MOTION in Limine *Medtronic's Objections to and Motion To Preclude ACS From Introducing Deposition Testimony from Bradley Jendersee and Robert Lashinski* - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A-F)(Louden, Karen) (Entered: 06/07/2005)
06/07/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Bench Trial held on 6/7/2005 DAY 1 (Court Reporter V. Gunning.) (fmt,) (Entered: 06/08/2005)
06/08/2005		SO ORDERED, re 669 MOTION in Limine *Medtronic's Objections to and Motion To Preclude ACS From Introducing Deposition Testimony from Bradley Jendersee and Robert Lashinski* filed by Medtronic USA, Inc.,, Medtronic Ave Inc.,, 668 MOTION Medtronic's Trial Memorandum To Prevent ACS From Relying On The Attorney-Client Privilege As Both A Sword And A Shield filed by Medtronic USA, Inc.,, Medtronic Ave Inc., . Signed by Judge Sue L. Robinson on 6/8/05. (rld,) (Entered: 06/08/2005)
06/08/2005		Minute Entry for proceedings held before Judge Sue L. Robinson : Bench Trial completed on 6/8/2005 DAY 2 (Court Reporter V. Gunning.) (fmt,) (Entered: 06/09/2005)
06/09/2005	670	TRANSCRIPT of Bench Trial held on 6/7/05 before Judge Robinson. Court Reporter: V. Gunning and L. Dibbs. VOLUME A (Transcript on file in Clerk's Office) (fmt,) (Entered: 06/09/2005)
06/09/2005	671	TRANSCRIPT of Bench Trial held on 6/8/05 before Judge Robinson. Court Reporter: V. Gunning and L. Dibbs. VOLUME B (Transcript on file in Clerk's Office) (fmt,) (Entered: 06/09/2005)
06/13/2005	672	Exhibit List for the Bench Trial held 6/7/05-6/8/05(fmt,) (Entered: 06/13/2005)
06/17/2005	673	ANSWERING BRIEF in Opposition re 651 MOTION for Judgment as a Matter of Law *(RENEWED) (ACS'S RESPONSE TO MEDTRONIC'S RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW)* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 6/24/2005. (Gaza, Anne) (Entered: 06/17/2005)
06/17/2005	674	ANSWERING BRIEF in Opposition re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 6/24/2005. (Attachments: # 1

		Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Certificate of Service)(Gaza, Anne) (Entered: 06/17/2005)
06/27/2005	675	STIPULATION Stipulation And Order On Schedule For Post-Trial Motions On Inequitable Conduct by Advanced Cardiovascular Systems, Inc., Medtronic Ave Inc., Medtronic USA, Inc., Guidant Sales Coporation. (Louden, Karen) (Entered: 06/27/2005)
06/28/2005		SO ORDERED, re 675 Stipulation filed by Advanced Cardiovascular Systems, Inc.,, Medtronic USA, Inc.,, Guidant Sales Coporation,, Medtronic Ave Inc.,, Set Post Trial Briefing Schedule: Opening Brief due 7/28/2005.Answering Brief due 9/19/2005.Reply Brief due 10/7/2005. Signed by Judge Sue L. Robinson on 6/28/05. (rld,) (Entered: 06/28/2005)
07/05/2005	676	STIPULATION to extend time *Stipulation And Order* by Medtronic Ave Inc.. (Louden, Karen) (Entered: 07/05/2005)
07/06/2005		SO ORDERED re-setting briefing schedule per 676 Stipulation filed by Medtronic Ave Inc., Reply Brief due 7/18/2005 to pending motions (D.I. 650 and 651). Signed by Judge Sue L. Robinson on 7/6/05. (rld,) (Entered: 07/06/2005)
07/11/2005	677	NOTICE of filing the following document(s) in paper format: Notebook #475 (Ex. No. AX-798), Notebook #597 (Ex. No. AX-799), Notebook #626 (Ex. No. AX-800). Original document(s) on file in Clerk's Office. Notice filed by Anne Shea Gaza on behalf of Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3)(Gaza, Anne) (Entered: 07/11/2005)
07/18/2005	678	REPLY BRIEF re 651 MOTION for Judgment as a Matter of Law *(RENEWED)* filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 07/18/2005)
07/18/2005	679	REPLY BRIEF re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)* filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 07/18/2005)
07/21/2005	680	REQUEST for Oral Argument by Medtronic Ave Inc., Medtronic USA, Inc. re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)*, 651 MOTION for Judgment as a Matter of Law *(RENEWED)*. (Louden, Karen) (Entered: 07/21/2005)
07/28/2005	681	ACS'S OPPOSITION TO MEDTRONIC'S REQUEST FOR ORAL ARGUMENT ON POST-TRIAL MOTIONS re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)*, 651 MOTION for Judgment as a Matter of Law *(RENEWED)* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Gaza, Anne) Modified on 7/29/2005 (fmt,). (Entered: 07/28/2005)
07/28/2005	682	MOTION for Leave to File *A Sur-Reply Brief To Respond To Medtronic's Discussion of Phillips v. AWH Corp. In Its Post-Trial Reply Briefs* - filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Attachments: # 1 Exhibit 1# 2 Exhibit 2)(Gaza, Anne) (Entered: 07/28/2005)
07/28/2005	683	POST TRIAL BRIEF *on ACS's Inequitable Conduct Before the U.S. Patent and*

		Trademark Office by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A-C)(Louden, Karen) (Entered: 07/28/2005)
08/09/2005	684	ORDER stay imposed on the trial of damages and willfulness shall continue in place until further order of the court. Signed by Judge Sue L. Robinson on 8/9/05. (rld,) (Entered: 08/09/2005)
08/18/2005	685	STIPULATION attaching substituted DTX1163 by Medtronic Ave Inc.. (Louden, Karen) (Entered: 08/18/2005)
08/18/2005		SUR-REPLY BRIEF re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)*, 651 MOTION for Judgment as a Matter of Law *(RENEWED)* filed by Guidant Sales Coporation. TO VIEW THIS DOCUMENT SEE TAB #1 TO D.I. 682. (rld,) (Entered: 08/19/2005)
08/19/2005		SO ORDERED, re 682 MOTION for Leave to File *A Sur-Reply Brief To Respond To Medtronic's Discussion of Phillips v. AWH Corp. In Its Post-Trial Reply Briefs* filed by Advanced Cardiovascular Systems, Inc.,, Guidant Sales Coporation, SEE Tab 1 of D.I. 682 to view the Sur-Reply Brief. Signed by Judge Sue L. Robinson on 8/18/05. (rld,) (Entered: 08/19/2005)
08/25/2005		SO ORDERED, re 685 Stipulation filed by Medtronic Ave Inc., DTX 1163 shall be substituted for the unredacted copy admitted at the June 7-8, 2005 trial on Medtronic's inequitable conduct claim. Signed by Judge Sue L. Robinson on 8/25/05. (rld,) (Entered: 08/25/2005)
09/19/2005	686	ANSWERING BRIEF in Opposition *(ACS's Post-Trial Brief In Response To Medtronic's Allegations of Inequitable Conduct)* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 9/26/2005. (Attachments: # 1 Exhibit A-F)(Cottrell, Frederick) (Entered: 09/19/2005)
10/07/2005	687	REPLY BRIEF *Medtronic's Reply Post-Trial Brief On ACS's Inequitable Conduct Before The U.S. Patent And Trademark Office* filed by Medtronic Ave Inc.. (Louden, Karen) (Entered: 10/07/2005)
10/10/2005	688	REQUEST for Oral Argument by Medtronic Ave Inc.. (Louden, Karen) (Entered: 10/10/2005)
10/12/2005	689	RESPONSE IN OPPOSITION TO REQUEST for Oral Argument by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Cottrell, Frederick) Modified on 10/12/2005 (fmt,). (Entered: 10/12/2005)
10/12/2005		CORRECTING ENTRY: The text of D.I. 689 has been changed to reflect that it is a response in opposition to request for oral argument (fmt,) (Entered: 10/12/2005)
10/18/2005	690	MOTION for Pro Hac Vice Appearance of Attorney George M. Sirilla and William P. Atkins - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 10/18/2005)
10/21/2005		SO ORDERED, re 690 MOTION for Pro Hac Vice Appearance of Attorney George M. Sirilla and William P. Atkins filed by Medtronic USA, Inc.,, Medtronic Ave Inc .

		Signed by Judge Sue L. Robinson on 10/20/05. (rld,) (Entered: 10/21/2005)
10/24/2005	691	SUR-REPLY BRIEF re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a) Medtronic's Supplemental Submission Pursuant To D. Del. L.R. 71.2(c) In Support Of Its Motion For A New Trial* filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 10/24/2005)
11/01/2005	692	RESPONSE to Motion re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a) (ACS's Response to Medtronic's Supplemental Submission Pursuant to D. Del. L.R. 7.1.2(c) In Support of Its Motion For A New Trial (D.I. 650))* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Cottrell, Frederick) (Entered: 11/01/2005)
11/04/2005	693	REPLY BRIEF re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a) Medtronic's Supplemental Reply Pursuant to D. Del. L.R. 7.1.2(c) In Support Of Its Motion For A New Trial (D.I. 650)* filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 11/04/2005)
12/19/2005	694	STIPULATION amending protective order *Stipulation Amending Protective Order* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 12/19/2005)
12/20/2005		SO ORDERED, re 694 Stipulation Amending Protective Order, filed by Medtronic USA, Inc., Medtronic Ave Inc., . Signed by Judge Sue L. Robinson on 12/19/05. (rld,) (Entered: 12/20/2005)
12/30/2005		Counsel is hereby notified to view Chief Judge Robinson?s website for the most recent version of the Scheduling Order for patent cases noting the revisions/additions to paragraphs numbered 7 and 8(c). (Visit www.ded.courts.gov following these links: Chambers of Chief Judge Robinson; Forms; Scheduling Orders; Patent.) (rld,) (Entered: 12/30/2005)
02/14/2006	695	NOTICE of Medtronic's Supplemental Submission Pursuant To D. Del. LR 7.1.2(c) In Support Of Its Post-Trial Brief On ACS's Inequitable Conduct Before the U.S. Patent Office (New Authority) by Medtronic Ave Inc., Medtronic USA, Inc. (Attachments: # 1 Exhibit A)(Polizoti, Leslie) (Entered: 02/14/2006)
02/21/2006	696	NOTICE of by Medtronic Ave Inc., Medtronic USA, Inc. re 651 MOTION for Judgment as a Matter of Law *(RENEWED)*, 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a) Medtronic's Supplemental Submission Pursuant To D. Del. L.R. 7.1.1(c) Providing The Four Decisions Of The U.S. Patent And Trademark Office, Granting Medtronic's Requests For Reexamination Of All Patents Asserted By Plaintiff* (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 # 4 Exhibit 4# 5 Exhibit 5)(Louden, Karen) (Entered: 02/21/2006)
02/23/2006	697	MEMORANDUM in Opposition *D.I. 696 [ACS's Response to Medtronic's Submission of Supplemental Authority]* filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 3/2/2006. (Gaza, Anne) Modified on 2/23/2006 (fmt,). (Entered: 02/23/2006)
03/08/2006	698	MEMORANDUM in Opposition *(ACS'S RESPONSE TO MEDTRONIC'S*

		SUPPLEMENTAL SUBMISSION REGARDING MEDTRONIC'S REQUEST FOR REEXAMINATION OF THE LAU PATENTS-IN-SUIT [D.I. 696]) filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation.Reply Brief due date per Local Rules is 3/15/2006. (Attachments: # 1 Exhibit 1)(Cottrell, Frederick) (Entered: 03/08/2006)
03/13/2006	699	REPLY BRIEF *of Medtronic in Support of its Supplemental Submission regarding Reexamination of the Lau Patents-in-Suit* filed by Medtronic USA, Inc.. (Attachments: # 1 Certificate of Service)(Louden, Karen) (Entered: 03/13/2006)
06/05/2006	700	STIPULATION Amending Protective Order re SO ORDERED, 189 Proposed Order, 694 Stipulation by Advanced Cardiovascular Systems, Inc., Medtronic Ave Inc., Medtronic USA, Inc., Guidant Sales Coporation. (Louden, Karen) (Entered: 06/05/2006)
06/07/2006		SO ORDERED, re 700 Stipulation Amending Protective Order filed by Advanced Cardiovascular Systems, Inc., Medtronic USA, Inc., Guidant Sales Coporation, Medtronic Ave Inc. Signed by Judge Sue L. Robinson on 6/7/06. (fmt,) (Entered: 06/07/2006)
06/19/2006	701	OPINION of USCA for the Federal Circuit as to 640 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc. USCA Decision: Affirmed. (fmt,) (Entered: 06/20/2006)
06/19/2006	702	JUDGMENT of USCA for the Federal Circuit as to 640 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc.. USCA Decision: AFFIRMED. (fmt,) (Entered: 06/20/2006)
06/22/2006	703	STIPULATION that any bill of costs and any motion for attorneys fees submitted by ACS in connection with Medtronic's infringement claims related to U.S. Patent Nos. 5,292,331, 5,674,278, 5,879,382, and 6,344,053, and/or Medtronic's state-law claims, will be timely submitted if filed by the later of fourteen days after by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation. (Gaza, Anne) (Entered: 06/22/2006)
06/26/2006		SO ORDERED, re 703 Stipulation re Bill of Costs and Motions for Attys Fees, filed by Advanced Cardiovascular Systems, Inc.,, Guidant Sales Coporation. Signed by Judge Sue L. Robinson on 6/22/06. (rld,) (Entered: 06/26/2006)
12/27/2006	704	NOTICE of Medtronic's Supplemental Submission Pursuant To D. Del. L.R. 7.1.2(c) Providing The Four Office Actions Of The U.S. Patent And Trademark Office Rejecting Each Of The Asserted Claims As Unpatentable by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)*, 696 Notice (Other), Notice (Other), Notice (Other), 651 MOTION for Judgment as a Matter of Law *(RENEWED)* (Attachments: # 1 Exhibit A-C# 2 Exhibit D)(Louden, Karen) (Entered: 12/27/2006)
01/04/2007		Note to Counsel: Chief Judge Robinson has revised the language in paragraph (f)(1) of the patent scheduling order regarding motions to compel and motions for protective order. Please review this information by downloading the pdf for Scheduling Order-

		Patent on Her Honors website under Forms. (rld) (Entered: 01/04/2007)
01/04/2007	705	RESPONSE TO OBJECTIONS by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation re 704 Notice (Other), Notice (Other), Notice (Other) *[ACS's Response to Medtronic's Supplemental Submission]*. (Gaza, Anne) (Entered: 01/04/2007)
01/04/2007	706	Disclosure Statement pursuant to Rule 7.1 filed by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation identifying any parent corporation or publicly held corporation that holds a ten percent (10%) or more ownership interest in ACS or Guidant Sales Corporation as Corporate Parent. (Gaza, Anne) (Entered: 01/04/2007)
01/10/2007	707	NOTICE of Medtronic's Reply In Support Of Its December 27, 2006 Supplemental Submission Regarding Reexamination Of The Lau Patents In Suit by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. re 704 Notice (Other), Notice (Other), Notice (Other) (Louden, Karen) (Entered: 01/10/2007)
03/05/2007	708	NOTICE of Medtronic's Supplemental Submission Pursuant to D. Del. L.R. 7.1.2(c) In Support of Its Post-Trial Brief on ACS'S Inequitable Conduct Before the U.S. Patent Office by Medtronic Ave Inc., Medtronic USA, Inc. (Attachments: # 1 Exhibit 1)(Louden, Karen) (Entered: 03/05/2007)
03/14/2007	709	NOTICE of ACS's Response To Medtronic's Citation of Supplemental Authority by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation re 708 Notice (Other), Notice (Other) (Cottrell, Frederick) (Entered: 03/14/2007)
03/21/2007	710	NOTICE of Medtronic's Reply In Further Support Of Its Citation Of Supplemental Authority by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. re 650 MOTION for New Trial *Pursuant to Fed.R.Civ. 59(a)*, 651 MOTION for Judgment as a Matter of Law *(RENEWED) Medtronic's Reply In Further Support Of Its Citation Of Supplemental Authority* (Louden, Karen) (Entered: 03/21/2007)
03/30/2007	711	MEMORANDUM OPINION. Signed by Judge Sue L. Robinson on 3/29/07. (rld) (Entered: 03/30/2007)
03/30/2007	712	ORDER denying 650 Motion for New Trial; denying 651 Motion for Judgment as a Matter of Law; court reserves final jgm. pending its disposition of Medtronic's charges of inequitable conduct. Signed by Judge Sue L. Robinson on 3/29/07. (rld) (Entered: 03/30/2007)
04/24/2007	713	OPINION. Signed by Judge Sue L. Robinson on 4/23/07. (rld) (Entered: 04/24/2007)
04/24/2007	714	ORDER Clerk of Court directed to enter jgm. in favor of pltfs. and agst. defts. Signed by Judge Sue L. Robinson on 4/23/07. (rld) (Entered: 04/24/2007)
05/03/2007	715	JUDGMENT in favor of Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation against Medtronic Ave Inc., Medtronic USA, Inc. Signed by Judge Sue L. Robinson on 5/2/07. (rld) (Entered: 05/03/2007)
05/09/2007	716	NOTICE OF APPEAL to the Federal Circuit of 714 Order, 603 Order, 712 Order on

		Motion for New Trial, Order on Motion for Judgment as a Matter of Law, 615 Order, Order on Motion for Judgment as a Matter of Law, Order on Motion in Limine, Order on Motion to Strike,,,,,,,, 715 Judgment, 713 Opinion, 711 Memorandum Opinion, 543 , 544 , 542 , 587 , 628 , 629 *Notice of Appeal.* Appeal filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) Modified on 5/9/2007 (fmt,). (Entered: 05/09/2007)
05/09/2007		USCA Appeal Fees received: $ 455, receipt number 147499 re 716 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc., Medtronic Ave Inc. TPO Issued. (ead) (Entered: 05/09/2007)
05/11/2007		Notice of Appeal and Docket Sheet to US Court of Appeals for the Federal Circuit re 716 Notice of Appeal (Federal Circuit) (els) (Entered: 05/11/2007)
05/11/2007		Notification regarding 716 Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit) sent to Reporter Maurer (els) (Entered: 05/11/2007)
05/11/2007		Notification regarding 716 Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit) sent to Reporter Gunning (els) (Entered: 05/11/2007)
05/11/2007		Notification regarding 716 Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit) sent to Reporter Gaffigan (els) (Entered: 05/11/2007)
05/11/2007		Notification regarding 716 Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit), Notice of Appeal (Federal Circuit) sent to Reporter Dibbs (els) (Entered: 05/11/2007)
05/18/2007	717	Court's response to counsel's email request for emergency relief dated 5/18/07. (rld) (Entered: 05/18/2007)
05/21/2007	718	TRANSCRIPT REQUEST by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. (already on file) re 716 Notice of Appeal (Federal Circuit) (Louden, Karen) Modified on 5/21/2007 (fmt,). (Entered: 05/21/2007)
05/22/2007	719	AMENDED JUDGMENT. Signed by Judge Sue L. Robinson on 5/21/07. (rld) (Entered: 05/22/2007)
05/24/2007	720	Amended NOTICE OF APPEAL to the Federal Circuit of 714 Order, 603 Order, 712 Order on Motion for New Trial, Order on Motion for Judgment as a Matter of Law, 719 Judgment, 615 Order, Order on Motion for Judgment as a Matter of Law, Order on Motion in Limine, Order on Motion to Strike, 715 Judgment, 713 Opinion, 711 Memorandum Opinion, D.I. Nos. 543 , 544 , 542 , 587 , 615 , 628 , 629 Appeal filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) Modified on 5/25/2007 (fmt,). (Entered: 05/24/2007)
05/30/2007		Notice of Appeal and Docket Sheet to US Court of Appeals for the Federal Circuit re 720 Amended Notice of Appeal (Federal Circuit). (hr) (Entered: 05/30/2007)

05/30/2007		Notification regarding 720 Amended Notice of Appeal (Federal Circuit) sent to Reporter Dibbs (hr) (Entered: 05/30/2007)
05/30/2007		Notification regarding 720 Amended Notice of Appeal (Federal Circuit) sent to Reporter Gaffigan (hr) (Entered: 05/30/2007)
05/30/2007		Notification regarding 720 Amended Notice of Appeal (Federal Circuit) sent to Reporter Gunning (hr) (Entered: 05/30/2007)
05/30/2007		Notification regarding 720 Amended Notice of Appeal (Federal Circuit) sent to Reporter Maurer (hr) (Entered: 05/30/2007)
06/04/2007	721	NOTICE of Docketing Record on Appeal from USCA for the Federal Circuit re 716 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc., Medtronic Ave Inc. USCA Case Number 2007-1365 (fmt) (Entered: 06/04/2007)
06/08/2007	722	SEALED TRANSCRIPT of Motion Hearing held on 3/28/00 in 99-833-SLR before Judge Robinson. Court Reporter: K. Maurer. (Transcript on file in Clerk's Office) (fmt) (Entered: 06/25/2007)
06/25/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 6/25/2007. (Court Reporter V. Gunning.) (rld) (Entered: 06/27/2007)
06/26/2007	723	NOTICE of Name Change and to Substitute Abbott Laboratories Inc. for Plaintiff Guidant Sales Corporation by Advanced Cardiovascular Systems, Inc., Guidant Sales Coporation (Attachments: # 1 Text of Proposed Order)(Gaza, Anne) (Entered: 06/26/2007)
06/27/2007	724	TRANSCRIPT of Telephone Conference held on 6/25/07 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt) (Entered: 06/27/2007)
06/29/2007	725	MOTION for Permanent Injunction - filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 7.1.1 Certification# 2 Text of Proposed Order)(Gaza, Anne) (Entered: 06/29/2007)
06/29/2007	726	SEALED AFFIDAVIT of Anne Shea Gaza re 725 MOTION for Permanent Injunction *(AFFIDAVIT OF ANNE SHEA GAZA IN SUPPORT OF ACS'S MOTION FOR A PERMANENT INJUNCTION -- HIGHLY CONFIDETIAL--FILED UNDER SEAL)* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 06/29/2007)
06/29/2007	727	SEALED OPENING BRIEF in Support re 725 MOTION for Permanent Injunction *(ACS'S BRIEF IN SUPPORT OF ITS MOTION FOR PERMANENT INJUNCTION -- HIGHLY CONFIDENTIAL -- FILED UNDER SEAL)* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..Answering Brief/Response due date per Local Rules is 7/19/2007. (Gaza, Anne) (Entered: 06/29/2007)
06/29/2007	728	SEALED DECLARATION re 725 MOTION for Permanent Injunction *(DECLARATION OF GARY SCHNEIDERMAN, PhD. -- HIGHLY*

		CONFIDENTIAL -- FILED UNDER SEAL) by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 06/29/2007)
06/29/2007	729	SEALED DECLARATION re 725 MOTION for Permanent Injunction *(DECLARATION OF DAVID C. PACITTI -- HIGHLY CONFIDENTIAL -- FILED UNDER SEAL)* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 06/29/2007)
06/29/2007	730	DECLARATION re 725 MOTION for Permanent Injunction *(DECLARATION OF JOEL K. KAHN, M.D.)* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3)(Gaza, Anne) (Entered: 06/29/2007)
07/03/2007	731	MOTION for Pro Hac Vice Appearance of Attorney Kevin S. Rosen, Anthony S. Newman and Matthew A. Hoffman - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/03/2007)
07/06/2007	732	SEALED MOTION to Stay - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/06/2007)
07/06/2007	733	SEALED OPENING BRIEF in Support re 732 SEALED MOTION to Stay filed by Medtronic Ave Inc., Medtronic USA, Inc..Answering Brief/Response due date per Local Rules is 7/23/2007. (Polizoti, Leslie) (Entered: 07/06/2007)
07/06/2007	734	SEALED DECLARATION re 733 Opening Brief in Support *Declaration Of Karen Jacobs Louden* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/06/2007)
07/06/2007	735	SEALED DECLARATION re 733 Opening Brief in Support *Declaration Of Jeff Allen* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/06/2007)
07/06/2007	736	SEALED DECLARATION re 733 Opening Brief in Support *Declaration Of Scott Raymond Ward* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/06/2007)
07/06/2007	737	SEALED DECLARATION re 733 Opening Brief in Support *Declaration Of Michael Ellwein* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/06/2007)
07/09/2007	738	REDACTED VERSION of 727 Opening Brief in Support, *Of Its Motion For Permanent Injunction* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 07/09/2007)
07/09/2007	739	REDACTED VERSION of 726 Affidavit, *of Anne Shea Gaza In Support of ACS's Motion For A Permanent Injunction* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Exhibit 1-5# 2 Exhibit 6# 3 Exhibit 7-23)(Gaza, Anne) (Entered: 07/09/2007)
07/09/2007	740	REDACTED VERSION of 728 Declaration *of Gary Schneiderman, Ph.D.* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered:

		07/09/2007)
07/09/2007	741	REDACTED VERSION of 729 Declaration *of David C. Pacitti* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Exhibit 1-3)(Gaza, Anne) (Entered: 07/09/2007)
07/12/2007		SO ORDERED, re 731 MOTION for Pro Hac Vice Appearance of Attorney Kevin S. Rosen, Anthony S. Newman and Matthew A. Hoffman filed by Medtronic USA, Inc., Medtronic Ave Inc. Signed by Judge Sue L. Robinson on 7/11/07. (rld) (Entered: 07/12/2007)
07/16/2007	742	STIPULATION to extend briefing schedule *Stipulation And Order* by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 07/16/2007)
07/18/2007	743	SEALED MOTION for Scheduling Order *Joint Motion for Entry of a Discovery and Briefing Schedule on Plaintiffs' Motion for a Permanent Injunction* - filed by Medtronic Ave Inc., Medtronic USA, Inc., Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Exhibits A-C)(Louden, Karen) (Entered: 07/18/2007)
07/20/2007		SO ORDERED, re 742 Stipulation filed by Medtronic USA, Inc., Medtronic Ave Inc. Briefing schedule for D.I. 725 is extended to a date to be set forth in schedule to be set by the court upon the parties submission of their joint proposal. Signed by Judge Sue L. Robinson on 7/18/07. (rld) (Entered: 07/20/2007)
07/23/2007	744	SEALED ANSWERING BRIEF in Opposition re 732 SEALED MOTION to Stay *HIGHLY CONFIDENTIAL* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..Reply Brief due date per Local Rules is 8/2/2007. (Gaza, Anne) (Entered: 07/23/2007)
07/23/2007	745	REDACTED VERSION of 732 SEALED MOTION to Stay by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 07/23/2007)
07/23/2007	746	REDACTED VERSION of 733 Opening Brief in Support *of Their Motion to Stay* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 07/23/2007)
07/23/2007	747	REDACTED VERSION of 734 Declaration *of Karen Jacobs Louden* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits A through C)(Polizoti, Leslie) (Entered: 07/23/2007)
07/23/2007	748	REDACTED VERSION of 735 Declaration *of Jeff Allen* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/23/2007)
07/23/2007	749	REDACTED VERSION of 736 Declaration *of Scott Raymond Ward* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/23/2007)
07/23/2007	750	REDACTED VERSION of 737 Declaration *of Michael Ellwein* by Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 07/23/2007)
08/02/2007	751	SEALED REPLY BRIEF re 732 SEALED MOTION to Stay *filed by Medtronic Ave*

		Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A under seal)(Polizoti, Leslie) Modified on 8/2/2007 (fmt,). (Entered: 08/02/2007)
08/02/2007	752	SEALED DECLARATION *Supplemental Declaration Of Jeff Allen Re Reply In Support Of Motion To Stay* by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Polizoti, Leslie) (Entered: 08/02/2007)
08/02/2007	753	REQUEST for Oral Argument by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. re 732 SEALED MOTION to Stay. (Polizoti, Leslie) (Entered: 08/02/2007)
08/02/2007	754	REDACTED VERSION of 743 SEALED MOTION for Scheduling Order *Joint Motion for Entry of a Discovery and Briefing Schedule on Plaintiffs' Motion for a Permanent Injunction* by Medtronic Ave Inc., Medtronic USA, Inc., Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Exhibits A-C)(Louden, Karen) (Entered: 08/02/2007)
08/06/2007	755	REDACTED VERSION of 744 Answering Brief in Opposition by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 08/06/2007)
08/06/2007	756	ORDER, Motions terminated: GRANTING to extent it related to "Endeavor" stent 732 SEALED MOTION to Stay filed by Medtronic USA, Inc., Medtronic Ave Inc.; MOOTING 743 SEALED MOTION for Scheduling Order *Joint Motion for Entry of a Discovery and Briefing Schedule on Plaintiffs' Motion for a Permanent Injunction* filed by Abbott Laboratories Inc., Medtronic USA, Inc., Abbott Cardiovascular Systems Inc., Medtronic Ave Inc.., Set Briefing Schedule re Motion for permanent injunction: Answering Brief due 10/22/2007.Reply Brief due 11/5/2007. Signed by Judge Sue L. Robinson on 8/6/07. (rld) Modified on 8/20/2007 (rld,). (Entered: 08/06/2007)
08/08/2007	757	REDACTED VERSION of 751 Reply Brief in Support *of Motion To Stay* by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. (Polizoti, Leslie) - Modified on 8/8/2007 (rwc,). (Entered: 08/08/2007)
08/08/2007	758	REDACTED VERSION of 752 Supplemental Declaration Of Jeff Allen by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. (Polizoti, Leslie) Modified on 8/8/2007 (rwc,). (Entered: 08/08/2007)
08/08/2007		CORRECTING ENTRY: Per request of filer, the Clerk's office modified DI#'s 757 and 758, linking them to the correct previously filed sealed documents. (rwc) (Entered: 08/08/2007)
08/08/2007	759	NOTICE OF SERVICE of (1) Defendants' Requests For Production Of Documents And Things Regarding The eBay Factors, (2) Defendant Medtronic Vascular Inc.'s First Set Of Interrogatories Regarding The eBay Factors by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc..(Louden, Karen) (Entered: 08/08/2007)

08/13/2007	760	NOTICE OF SERVICE of Abbott's Request For The Production Of Documents And Things Regarding Abbott's Motion For Permanent Injunction and Abbott's First Set Of Interrogatories Regarding Abbott's Motion For Permanent Injunction by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..(Gaza, Anne) (Entered: 08/13/2007)
08/17/2007	761	NOTICE OF SERVICE of Defendants' Second Request for Production of Documents and Things Regarding the eBay Factors by Medtronic Ave Inc., Medtronic USA, Inc..(Bauer, Richard) (Entered: 08/17/2007)
08/20/2007		Set Briefing Schedule: Answering Brief due 10/22/2007.Reply Brief due 11/5/2007. (rld) (Entered: 08/20/2007)
08/20/2007	762	NOTICE to Take Deposition of Gary Schneiderman, Ph.D. on September 17, 2007 by Medtronic Ave Inc., Medtronic USA, Inc..(Polizoti, Leslie) (Entered: 08/20/2007)
08/20/2007	763	NOTICE to Take Deposition of David C. Pacitti on September 20, 2007 by Medtronic Ave Inc., Medtronic USA, Inc..(Polizoti, Leslie) (Entered: 08/20/2007)
08/20/2007	764	SEALED NOTICE to Take Deposition of Plaintiffs on September 18, 2007 by Medtronic Ave Inc., Medtronic USA, Inc..(Polizoti, Leslie) Modified on 8/28/2007 (fmt,). (Entered: 08/20/2007)
08/21/2007	765	NOTICE of Notice of Subpoena by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. *Defendants' Notice Of Subpoena Of Dr. Joel K. Kahn* (Attachments: # 1 Exhibit 1)(Louden, Karen) (Entered: 08/21/2007)
08/27/2007	766	MOTION for Pro Hac Vice Appearance of Attorney Mark H. Lyon and Frederick Chung - filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 08/27/2007)
08/28/2007		SO ORDERED, re 766 MOTION for Pro Hac Vice Appearance of Attorney Mark H. Lyon and Frederick Chung filed by Medtronic USA, Inc., Medtronic Ave Inc. Signed by Judge Sue L. Robinson on 8/28/07. (rld) (Entered: 08/28/2007)
09/06/2007	767	REDACTED VERSION of 764 Notice to Take Deposition *Defendants' Notice Of Deposition Pursuant To Fed. R. Civ. P. 30(b)(6) Directed To Plaintiffs* by Medtronic Ave Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 09/06/2007)
09/06/2007	768	NOTICE OF SERVICE of Joel K. Kahn, M.D.'s Responses and Objections To Defendants' Subpoena For Documents and Things re 765 Notice (Other) by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. Related document: 765 Notice (Other) filed by Medtronic USA, Inc., Medtronic Ave Inc..(Gaza, Anne) (Entered: 09/06/2007)
09/07/2007	769	NOTICE OF SERVICE of Abbott's Responses To Defendant Medtronic Vascular Inc.'s First Set of Interrogatories Regarding The eBay Factors and Abbott's Responses and Objections To Defendants' First and Second Requests For Production of Documents and Things Regarding The eBay Factors re 761 Notice of Service, 759 Notice of Service, by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..

		Related document: 761 Notice of Service filed by Medtronic USA, Inc., Medtronic Ave Inc., 759 Notice of Service, filed by Medtronic USA, Inc., Medtronic Ave Inc..(Gaza, Anne) (Entered: 09/07/2007)
09/10/2007	770	NOTICE OF SERVICE of Abbott's Responses and Objections to Defendants' Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6) Directed to Plaintiffs by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..(Gaza, Anne) (Entered: 09/10/2007)
09/11/2007	771	NOTICE to Take Deposition of Gary Schneiderman on September 20, 2007 by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 09/11/2007)
09/11/2007	772	NOTICE to Take Deposition of Adria Spano on September 28, 2007 by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 09/11/2007)
09/12/2007	773	STIPULATION Stipulation Amending Protective Order by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 09/12/2007)
09/12/2007	774	NOTICE OF SERVICE of Defendants' Responses to Abbott's First Set of Interrogatories Regarding Abbott's Motion for Permanent Injunction and Defendants' Responses to Abbott's Requests for Production of Documents and Things Regarding Abbott's Motion for Permanent Injunction by Medtronic Ave Inc., Medtronic USA, Inc..(Louden, Karen) (Entered: 09/12/2007)
09/14/2007		SO ORDERED, re 773 Stipulation Amending Protective Order filed by Medtronic USA, Inc., Medtronic Ave Inc. Signed by Judge Sue L. Robinson on 9/13/07. (rlp) (Entered: 09/14/2007)
09/14/2007	775	NOTICE OF SERVICE of Responses and Objections To Defendants' Requests For Documents and Things To Be Produced By Gary Schneiderman, Ph.D. by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..(Gaza, Anne) (Entered: 09/14/2007)
09/27/2007		Set Deadlines/Hearings: Telephone Conference set for 9/28/2007 02:30 PM before Honorable Sue L. Robinson. (rlp) (Entered: 09/27/2007)
09/28/2007	776	Letter to Hon. Sue L. Robinson from Karen Jacobs Louden regarding September 28, 2007 discovery teleconference (FILED UNDER SEAL). (Attachments: # 1 Exhibit 1-7 Under Seal)(Louden, Karen) (Entered: 09/28/2007)
09/28/2007	777	REDACTED VERSION of 776 Letter *Public Version/Letter to Hon. Sue L. Robinson* by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit 1-7)(Louden, Karen) (Entered: 09/28/2007)
10/10/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 10/10/2007. Next teleconference set for 10/15/07 at 4:00 p.m.

		(Court Reporter V. Gunning.) (rlp) (Entered: 10/10/2007)
10/10/2007		Set Deadlines/Hearings: Telephone Conference set for 10/15/2007 04:00 PM before Honorable Sue L. Robinson. (rlp) (Entered: 10/10/2007)
10/10/2007	778	TRANSCRIPT of Telephone Conference held on 10/10/07 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (fmt) (Entered: 10/10/2007)
10/10/2007	779	NOTICE of Subpoena of Adria Spano by Medtronic Ave Inc., Medtronic USA, Inc. (Attachments: # 1 Exhibit 1)(Louden, Karen) (Entered: 10/10/2007)
10/11/2007		CORRECTING ENTRY: Per phone call from Morris, Nichols, Arsht & Tunnell, the NOTICE to Take Deposition of Adria Spano on October 16, 2007 by Medtronic Ave Inc., Medtronic USA, Inc. filed on 10/10/07 has been removed from the docket as it was filed in error. (fmt) Modified on 10/11/2007 (fmt,). (Entered: 10/11/2007)
10/15/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 10/15/2007. (Court Reporter V. Gunning.) (rlp) (Entered: 10/16/2007)
10/17/2007	780	STIPULATION TO EXTEND TIME for Medtronic to file answering brief and for plaintiffs to file reply brief to November 1, 2007 and November 19, 2007, respectively - filed by Medtronic Ave Inc., Medtronic USA, Inc., Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Louden, Karen) (Entered: 10/17/2007)
10/22/2007		SO ORDERED, re 780 STIPULATION TO EXTEND TIME for Medtronic to file answering brief and for plaintiffs to file reply brief to November 1, 2007 and November 19, 2007, respectively filed by Abbott Laboratories Inc., Medtronic USA, Inc., Abbott Cardiovascular Systems Inc., Medtronic Ave Inc. ReSet Briefing Schedule re D.I. 725: Answering Brief due 11/1/2007.Reply Brief due 11/19/2007. Signed by Judge Sue L. Robinson on 10/19/07. (rlp) (Entered: 10/22/2007)
11/01/2007	781	SEALED ANSWERING BRIEF in Opposition re 725 MOTION for Permanent Injunction filed by Medtronic Ave Inc., Medtronic USA, Inc..Reply Brief due date per Local Rules is 11/13/2007. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	782	SEALED DECLARATION re 781 Answering Brief in Opposition *of Rodney S. Badger, M.D., F.A.C.C.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	783	SEALED DECLARATION re 781 Answering Brief in Opposition *of Victor W. Assad* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	784	SEALED DECLARATION re 781 Answering Brief in Opposition *of Gloria Ruiz-Ramirez* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	785	SEALED DECLARATION re 781 Answering Brief in Opposition *of Thaddeus R. Tolleson, M.D., F.A.C.C.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)

11/01/2007	786	SEALED DECLARATION re 781 Answering Brief in Opposition *of Douglas G. Ebersole, M.D.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	787	SEALED DECLARATION re 781 Answering Brief in Opposition *of David L. Pearle, M.D.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	788	SEALED DECLARATION re 781 Answering Brief in Opposition *of Hiten Chawla* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	789	SEALED DECLARATION re 781 Answering Brief in Opposition *of Jeff Allen* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/01/2007	790	SEALED DECLARATION re 781 Answering Brief in Opposition *of Karen Jacobs Louden* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/01/2007)
11/05/2007		Set Deadlines/Hearings: Telephone Conference set for 11/7/2007 08:00 AM before Honorable Sue L. Robinson. (fmt) (Entered: 11/05/2007)
11/06/2007	791	Letter to Hon. Sue L. Robinson from Karen Jacobs Louden regarding discovery teleconference. (Louden, Karen) (Entered: 11/06/2007)
11/07/2007		Minute Entry for proceedings held before Judge Sue L. Robinson : Telephone Conference held on 11/7/2007. (Court Reporter K. Maurer.) (rlp) (Entered: 11/07/2007)
11/08/2007	792	STENO NOTES of Teleconference held on 11/7/07 before Judge Robinson. Court Reporter: K. Maurer. (Notes on file in Clerk's Office) (fmt) (Entered: 11/08/2007)
11/08/2007	793	REDACTED VERSION of 781 Answering Brief in Opposition *to Plaintiffs' Motion for Permanent Injunction* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/08/2007)
11/08/2007	794	REDACTED VERSION of 789 Declaration *of Jeff Allen* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits A and B)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	795	REDACTED VERSION of 790 Declaration *of Karen Jacobs Louden* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits A through J# 2 Exhibits K through M# 3 Exhibits N through P# 4 Exhibit Q# 5 Exhibits R through U)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	796	REDACTED VERSION of 783 Declaration *of Victor W. Assad* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	797	REDACTED VERSION of 782 Declaration *of Rodney S. Badger, M.D., F.A.C.C.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 11/08/2007)

11/08/2007	798	REDACTED VERSION of 788 Declaration *of Hiten Chawla* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits A through C)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	799	REDACTED VERSION of 786 Declaration *of Douglas G. Ebersole, M.D.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	800	REDACTED VERSION of 784 Declaration *of Gloria Ruiz-Ramirez* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	801	REDACTED VERSION of 785 Declaration *of Thaddeus R. Tolleson, M.D., F.A.C.C.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A)(Louden, Karen) (Entered: 11/08/2007)
11/08/2007	802	REDACTED VERSION of 787 Declaration *of David L. Pearle, M.D.* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits A through D# 2 Exhibit E Part One# 3 Exhibit E Part Two# 4 Exhibit F)(Louden, Karen) (Entered: 11/08/2007)
11/09/2007	803	TRANSCRIPT of Telephone Conference held on 11/7/07 before Judge Robinson. Court Reporter: K. Maurer. (Transcript on file in Clerk's Office) (fmt) (Entered: 11/14/2007)
11/14/2007	804	STIPULATION TO EXTEND TIME for plaintiffs to file their reply brief in support of their motion for permanent injunction to November 21, 2007 - filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 11/14/2007)
11/19/2007		SO ORDERED, re 804 STIPULATION TO EXTEND TIME for plaintiffs to file their reply brief in support of their motion for permanent injunction to November 21, 2007 filed by Abbott Laboratories Inc., Abbott Cardiovascular Systems Inc., Set Briefing Schedule: re 725 MOTION for Permanent Injunction. Reply Brief due 11/21/2007. Signed by Judge Sue L. Robinson on 11/19/2007. (fmt) (Entered: 11/19/2007)
11/21/2007	805	SEALED REPLY BRIEF re 725 MOTION for Permanent Injunction filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 11/21/2007)
11/21/2007	806	SEALED AFFIDAVIT of Anne Shea Gaza re 805 Reply Brief *in Support of Abbott's Reply in Support of Its Motion for a Permanent Injunction* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 11/21/2007)
11/21/2007	807	REQUEST for Oral Argument by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc. re 725 MOTION for Permanent Injunction. (Gaza, Anne) (Entered: 11/21/2007)
11/27/2007	808	STATEMENT *(ACS'S SUPPLEMENTAL SUBMISSION)* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Attachment to Supplemental Submission)(Gaza, Anne) (Entered: 11/27/2007)

11/28/2007	809	SEALED MOTION for Leave to File *Medtronic's Unopposed Motion To Supplement The Record And To File Non-Argumentative Evidentiary Objections* - filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A and B Under Seal)(Louden, Karen) (Entered: 11/28/2007)
11/28/2007	810	REQUEST for Oral Argument by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. re 809 SEALED MOTION for Leave to File *Medtronic's Unopposed Motion To Supplement The Record And To File Non-Argumentative Evidentiary Objections.* (Louden, Karen) (Entered: 11/28/2007)
11/30/2007	811	SEALED STATEMENT re 808 Statement *Resonse To Abbott's Supplemental Submission* by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 11/30/2007)
11/30/2007	812	REDACTED VERSION of 805 Reply Brief by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 11/30/2007)
11/30/2007	813	REDACTED VERSION of 806 Affidavit *of Anne Shea Gaza in Support of Abbott's Reply In Support of Its Motion For A Permanent Injunction* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Exhibit 24-29# 2 Exhibit 30 - Part 1# 3 Exhibit 30 - Part 2# 4 Exhibit 30 - Part 3# 5 Exhibit 30 - Part 4# 6 Exhibit 30 - Part 5# 7 Exhibit 30 - Part 6# 8 Exhibit 30 - Part 7# 9 Exhibit 30 - Part 8# 10 Exhibit 30 - Part 9# 11 Exhibit 30 - Part 10# 12 Exhibit 31 - 34)(Gaza, Anne) (Entered: 11/30/2007)
12/03/2007	814	REDACTED VERSION of 811 Statement *Response To Abbott's Supplemental Submission* by Medtronic Ave Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 12/03/2007)
12/11/2007	815	SEALED MEMORANDUM in Opposition re 809 SEALED MOTION for Leave to File *Medtronic's Unopposed Motion To Supplement The Record And To File Non-Argumentative Evidentiary Objections* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc..Reply Brief due date per Local Rules is 12/21/2007. (Gaza, Anne) (Entered: 12/11/2007)
12/19/2007	816	REDACTED VERSION of 809 SEALED MOTION for Leave to File *Medtronic's Unopposed Motion To Supplement The Record And To File Non-Argumentative Evidentiary Objections* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 12/19/2007)
12/20/2007	817	SEALED REPLY BRIEF re 809 SEALED MOTION for Leave to File *Medtronic's Unopposed Motion To Supplement The Record And To File Non-Argumentative Evidentiary Objections Medtronic's Reply In Support Of Its Objections To Evidence Cited In Plaintiffs' Reply Brief* filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A-B)(Louden, Karen) (Entered: 12/20/2007)
12/28/2007	818	REDACTED VERSION of 815 Memorandum in Opposition, by Abbott

		Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Cottrell, Frederick) (Entered: 12/28/2007)
01/08/2008	819	REDACTED VERSION of 817 Reply Brief, *in Support of Its Objections to Evidence Cited in Plaintiffs' Reply Brief* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits A and B)(Louden, Karen) (Entered: 01/08/2008)
01/15/2008	820	ORDER Setting Hearings:Oral Argument set for 2/5/2008 10:00 AM in Courtroom 6B before Honorable Sue L. Robinson. Plaintiffs and defendants each shall be given one hour to present their argument. Signed by Judge Sue L. Robinson on 1/14/08. (fmt) (Entered: 01/15/2008)
01/16/2008	821	ORDER Rescheduling Hearing on Motion 725 MOTION for Permanent Injunction : Motion Hearing set for 2/12/2008 10:00 AM in Courtroom 6B before Honorable Sue L. Robinson. Signed by Judge Sue L. Robinson on 1/16/2008. (nfn) (Entered: 01/16/2008)
02/12/2008		Minute Entry for proceedings held before Judge Sue L. Robinson - Oral Argument held on 2/12/2008 re 725 MOTION for Permanent Injunction filed by Abbott Laboratories Inc., Abbott Cardiovascular Systems Inc.. (Court Reporter V. Gunning.) (fmt) (Entered: 02/12/2008)
02/14/2008	822	TRANSCRIPT of Oral Argument held on 2/12/2008 before Judge Robinson. Court Reporter: V. Gunning. (Transcript on file in Clerk's Office) (nfn) (Entered: 02/14/2008)
02/21/2008	823	STATEMENT re 629 Jury Verdict *(SUBMISSION OF OFFICE ACTION OF THE U.S. PATENT AND TRADEMARK OFFICE CONFIRMING PATENTABILITY OF CLAIM 11 OF U.S. PAT. NO. 6,066,168* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Attachment to Submission)(Gaza, Anne) (Entered: 02/21/2008)
02/26/2008	824	SEALED MOTION to Lift Stay re 805 Reply Brief, 756 Order, Terminate Motions, Set Briefing Schedule,,,,,,, 727 Opening Brief in Support, *(MOTION TO LIFT STAY OF PROCEEDINGS ON ABBOTT'S MOTION FOR PERMANENT INJUNCTION AS TO MEDTRONIC'S ENDEAVOR)* - filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 02/26/2008)
02/26/2008	825	STATEMENT re 823 Statement, *Response to Abbott's Submission of Office Action of the U.S. Patent and Trademark Office* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 02/26/2008)
03/10/2008	826	STIPULATION Further amendment to Protective Order re 189 Proposed Order *Stipulation Amending Protective Order* by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 03/10/2008)
03/10/2008	827	REDACTED VERSION of 824 SEALED MOTION to Lift Stay - filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) Modified on 3/11/2008 (nfn). (Entered: 03/10/2008)
03/11/2008		SO ORDERED, re 826 Stipulation filed by Medtronic USA, Inc., Medtronic Ave Inc.

		Signed by Judge Sue L. Robinson on 3/11/2008. (nfn) (Entered: 03/11/2008)
03/11/2008		CORRECTING ENTRY: The text of D.I. 827 was modified to reflect that it was the redacted version of D.I. 824 SEALED MOTION to Lift Stay. (nfn) (Entered: 03/11/2008)
03/14/2008	828	SEALED ANSWERING BRIEF in Opposition *To Abbott's Motion To Lift Stay Of Proceedings On Abbott's Motion For Permanent Injunction As To Medtronic's Endeavor* filed by Medtronic Ave Inc., Medtronic USA, Inc..Reply Brief due date per Local Rules is 3/27/2008. (Attachments: # 1 Exhibits A through C)(Louden, Karen) (Entered: 03/14/2008)
03/19/2008	829	REDACTED VERSION of 828 Answering Brief in Opposition, *To Abbott's Motion To Lift Stay Of Proceedings On Abbott's Motion For Permanent Injunction As To Medtronic's Endeavor* by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit A-C to Medtronic's Answering Brief)(Louden, Karen) (Entered: 03/19/2008)
03/27/2008	830	SEALED REPLY BRIEF *(ABBOTT'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO LIFT STAY OF PROCEEDINGS ON ABBOTT'S MOTION FOR PERMANENT INJUNCTION AS TO MEDTRONIC'S ENDEAVOR)* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 03/27/2008)
03/27/2008	831	SEALED AFFIDAVIT of Anne Shea Gaza re 830 Reply Brief, filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 03/27/2008)
04/01/2008	832	SEALED MOTION for Leave to File *Surreply to Abbott's Motion to Lift Stay of Proceedings on Abbott's Motion for Permanent Injunction as to Medtronic's Endeavor* - filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibits 1-2)(Louden, Karen) (Entered: 04/01/2008)
04/01/2008	833	REQUEST for Oral Argument by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 04/01/2008)
04/03/2008	834	REDACTED VERSION of 830 Reply Brief, by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 04/03/2008)
04/03/2008	835	REDACTED VERSION of 831 Affidavit *of Anne Shea Gaza* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 04/03/2008)
04/07/2008	836	MOTION for Pro Hac Vice Appearance of Attorney Eric J. Maurer - filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 04/07/2008)
04/07/2008	837	NOTICE of Change of Firm Affiliation of Pro Hac Vice Counsel by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. (Louden, Karen) (Entered: 04/07/2008)
04/11/2008	838	REDACTED VERSION of 832 SEALED MOTION for Leave to File *Surreply to*

		Abbott's Motion to Lift Stay of Proceedings on Abbott's Motion for Permanent Injunction as to Medtronic's Endeavor by Medtronic Ave Inc., Medtronic USA, Inc.. (Attachments: # 1 Exhibit 1 and 2 (Part A), # 2 Exhibit 2 (Part B), # 3 Exhibit 2 (Part C))(Louden, Karen) (Entered: 04/11/2008)
04/14/2008		SO ORDERED, re 836 MOTION for Pro Hac Vice Appearance of Attorney Eric J. Maurer filed by Medtronic USA, Inc., Medtronic Ave Inc. Signed by Judge Sue L. Robinson on 4/14/2008. (lid) (Entered: 04/14/2008)
04/16/2008	839	RESPONSE to Motion re 832 SEALED MOTION for Leave to File *Surreply to Abbott's Motion to Lift Stay of Proceedings on Abbott's Motion for Permanent Injunction as to Medtronic's Endeavor (ABBOTT'S OPPOSITION TO MEDTRONIC'S MOTION FOR LEAVE TO FILE SURREPLY TO ABBOTT'S MOTION TO LIFT STAY OF PROCEEDINGS ON ABBOTT'S MOTION FOR PERMANENT INJUNCTION AS TO MEDTRONIC'S ENDEAVOR)* filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 04/16/2008)
04/22/2008	840	SEALED REPLY BRIEF re 832 SEALED MOTION for Leave to File *Surreply to Abbott's Motion to Lift Stay of Proceedings on Abbott's Motion for Permanent Injunction as to Medtronic's Endeavor* filed by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 04/22/2008)
04/28/2008	841	REDACTED VERSION of 840 Reply Brief, *Public Version/Medtronic's Reply In Support Of Its Motion For Leave To File Surreply To Abbott's Motion To Lift Stay Of Proceedings On Abbott's Motion For Permanent Injunction As To Medtronic's Endeavor* by Medtronic Ave Inc., Medtronic Ave Inc.. (Louden, Karen) (Entered: 04/28/2008)
07/21/2008	842	NOTICE of Submission of FDA Letter Providing Notice of Approval of Abbott's Xience Drug-Eluting Stent by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc. (Attachments: # 1 Exhibit 1 - 2)(Gaza, Anne) (Entered: 07/21/2008)
07/24/2008	843	STATEMENT re 842 Notice (Other) *Medtronic's Response to Abbott's Submission of FDA Letter Providing Notice of Approval of Abbott's Xience Drug-Eluting Stent* by Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 07/24/2008)
09/29/2008	844	MEMORANDUM OPINION. Signed by Judge Sue L. Robinson on 9/26/2008. (nmf) (Entered: 09/29/2008)
09/29/2008	845	ORDER denying 725 Motion for a permanent injunction; denying 809 Motion for leave to supplement the record and to file evidentiary objections; granting 824 Motion to lift the stay on proceedings on plaintiffs' motion for a permanent injunction; and denying 832 Motion for leave to file a surreply to plaintiffs' motion to lift the stay on proceedings. Signed by Judge Sue L. Robinson on 9/26/2008. (nmf) (Entered: 09/29/2008)
10/02/2008	846	NOTICE OF APPEAL to the Federal Circuit of 719 Judgment, 715 Judgment. Appeal filed by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc.. (Louden, Karen) (Entered: 10/02/2008)

10/02/2008		USCA Appeal Fees received: $ 455, receipt number 153710 re 846 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc., Medtronic Ave Inc. TPO (Federal Circuit) issued. (fms) (Entered: 10/02/2008)
10/02/2008		CORRECTING ENTRY: The Appeals Fee docket entry has been corrected so that it does not have a docket item number associated with it. (fms) (Entered: 10/02/2008)
10/07/2008		Notice of Appeal and Docket Sheet to US Court of Appeals for the Federal Circuit re 846 Notice of Appeal (Federal Circuit). (hr) (Entered: 10/07/2008)
10/07/2008		Notification regarding 846 Notice of Appeal (Federal Circuit) sent to Reporter Gunning (hr) (Entered: 10/07/2008)
10/08/2008	847	Transcript of telephone conference held on October 15, 2007 before Judge Robinson. Court Reporter/Transcriber Valerie Gunning,Telephone number (302) 573-6194. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/29/2008. Redacted Transcript Deadline set for 11/10/2008. Release of Transcript Restriction set for 1/6/2009. (vjg) (Entered: 10/08/2008)
10/08/2008	848	TRANSCRIPT REQUEST by Medtronic Ave Inc., Medtronic USA, Inc., Medtronic Ave Inc., Medtronic USA, Inc. (Louden, Karen) (Entered: 10/08/2008)
10/15/2008	849	NOTICE OF APPEAL to the Federal Circuit of 845 Order, 844 Memorandum Opinion. Appeal filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 10/15/2008)
10/15/2008		APPEAL - Credit Card Payment of $ 455.00 received re 849 Notice of Appeal (Federal Circuit) filed by Abbott Laboratories Inc., Abbott Cardiovascular Systems Inc.. (Filing fee $ 455, receipt number 0311000000000506447.) (Gaza, Anne) (Entered: 10/15/2008)
10/17/2008		Notice of Appeal and Docket Sheet to US Court of Appeals for the Federal Circuit re 849 Notice of Appeal (Federal Circuit). (hr) (Entered: 10/17/2008)
10/17/2008		Notification regarding 849 Notice of Appeal (Federal Circuit) sent to Reporter Gunning (hr) (Entered: 10/17/2008)
10/17/2008	850	NOTICE of Docketing Record on Appeal from USCA for the Federal Circuit re 849 Notice of Appeal (Federal Circuit) filed by Abbott Laboratories Inc., Abbott Cardiovascular Systems Inc., 846 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc., Medtronic Ave Inc.. USCA Case Number 2009-1014 (lid) (Entered: 10/20/2008)
10/31/2008	851	NOTICE of Docketing Record on Appeal from USCA for the Federal Circuit re 849 Notice of Appeal (Federal Circuit) filed by Abbott Laboratories Inc., Abbott Cardiovascular Systems Inc.. USCA Case Number 2009-1038 (lid) (Entered: 10/31/2008)

11/19/2008	852	Joint MOTION Entry of Judgment re 714 Order, 712 Order on Motion for New Trial, Order on Motion for Judgment as a Matter of Law, 719 Judgment, 845 Order, 713 Opinion, 711 Memorandum Opinion - filed by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Attachments: # 1 Text of Proposed Order)(Gaza, Anne) (Entered: 11/19/2008)
11/21/2008	853	JUDGMENT in favor of Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc. against Medtronic Ave Inc., Medtronic USA, Inc.. Signed by Judge Sue L. Robinson on 11/21/2008. (lid) (Entered: 11/21/2008)
11/21/2008		CASE CLOSED (lid) (Entered: 11/21/2008)
11/26/2008	854	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) 5,292,331; 5,674,278; 5,514,154; 5,603,721; (lid) (Entered: 11/26/2008)
07/29/2009	855	STIPULATION of Dismissal *With Prejudice* by Abbott Cardiovascular Systems Inc., Abbott Laboratories Inc.. (Gaza, Anne) (Entered: 07/29/2009)
07/31/2009		SO ORDERED- re 855 Stipulation of Dismissal. *Note case was closed on 11/21/2008. Signed by Judge Sue L. Robinson on 7/31/2009. (lid) (Entered: 07/31/2009)
07/12/2010	856	MANDATE of USCA as to 846 Notice of Appeal (Federal Circuit) filed by Medtronic USA, Inc., Medtronic Ave Inc., 849 Notice of Appeal (Federal Circuit) filed by Abbott Laboratories Inc., Abbott Cardiovascular Systems Inc. USCA Decision: dismissed. (nmf) (Entered: 07/13/2010)

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PACER Login:	bg0003	**Client Code:**	003168.1350
Description:	Docket Report	**Search Criteria:**	1:98-cv-00080-SLR Start date: 1/1/1970 End date: 5/14/2012
Billable Pages:	30	**Cost:**	3.00

Exhibit C.2.(a)

261 F.3d 1329, 59 U.S.P.Q.2d 1801
(Cite as: 261 F.3d 1329)

H

United States Court of Appeals,
Federal Circuit.
ADVANCED CARDIOVASCULAR SYSTEMS, INC. and Guidant Sales Corporation, Plaintiffs-Appellants,
v.
SCIMED LIFE SYSTEMS, INC. and Boston Scientific Corporation, Defendants-Appellees.

No. 00-1454.
Aug. 6, 2001.

Patent assignee brought action against alleged infringer relating to flexible coronary stent. The United States District Court for the Southern District of Indiana, David F. Hamilton, J., granted judgment for alleged infringer. Assignee appealed. The Court of Appeals, Schall, Circuit Judge, held that: (1) claim terms "connecting elements," "interconnected," "connecting members," and "struts for connecting" did not require connecting elements to run parallel both to each other and to longitudinal axis of stent, and (2) phrase "generally parallel connecting elements" in claims did not require connecting elements to be generally parallel to stent's longitudinal axis.

Affirmed in part, vacated in part and remanded.

West Headnotes

[1] Patents 291 ⚿226.6

291 Patents
291XII Infringement
291XII(A) What Constitutes Infringement
291k226.5 Substantial Identity of Subject Matter
291k226.6 k. Comparison with claims of patent. Most Cited Cases

Determination of a claim of infringement involves a two step inquiry: first, the claims are construed, a question of law in which the scope of the asserted claims is defined, and second, the claims, as construed, are compared to the accused device.

[2] Patents 291 ⚿312(1.1)

291 Patents
291XII Infringement
291XII(B) Actions
291k312 Evidence
291k312(1) Presumptions and Burden of Proof
291k312(1.1) k. In general. Most Cited Cases

Patents 291 ⚿312(3.1)

291 Patents
291XII Infringement
291XII(B) Actions
291k312 Evidence
291k312(3) Weight and Sufficiency
291k312(3.1) k. In general. Most Cited Cases

To prevail on a claim of patent infringement, the plaintiff must establish by a preponderance of the evidence that the accused device infringes one or more claims of the patent either literally or under the doctrine of equivalents.

[3] Patents 291 ⚿167(1.1)

291 Patents
291IX Construction and Operation of Letters Patent
291IX(B) Limitation of Claims
291k167 Specifications, Drawings, and Models
291k167(1.1) k. Specification as limiting or enlarging claims. Most Cited Cases

Patents 291 ⚿167(1.2)

291 Patents
291IX Construction and Operation of Letters Patent
291IX(B) Limitation of Claims
291k167 Specifications, Drawings, and

Models
291k167(1.2) k. Effect of drawings. Most Cited Cases

Patents 291 ⚿168(2.1)

291 Patents
291IX Construction and Operation of Letters Patent
291IX(B) Limitation of Claims
291k168 Proceedings in Patent Office in General
291k168(2) Rejection and Amendment of Claims
291k168(2.1) k. In general. Most Cited Cases

Claim terms "connecting elements," "interconnected," "connecting members," and "struts for connecting" did not require connecting elements to run parallel both to each other and to longitudinal axis of stent, for purpose of patent infringement lawsuit relating to flexible coronary stent; although all of the drawings in asserted patents depicted connecting elements in parallel alignment both with each other and stent's longitudinal axis, drawings did not require such limitation and neither did patents' claims, specifications, or prosecution history.

[4] Patents 291 ⚿167(1)

291 Patents
291IX Construction and Operation of Letters Patent
291IX(B) Limitation of Claims
291k167 Specifications, Drawings, and Models
291k167(1) k. In general. Most Cited Cases

Patents 291 ⚿167(1.1)

291 Patents
291IX Construction and Operation of Letters Patent
291IX(B) Limitation of Claims
291k167 Specifications, Drawings, and Models
291k167(1.1) k. Specification as limiting or enlarging claims. Most Cited Cases

Patent claims are to be interpreted in light of the specification and with a view to ascertaining the invention, but it does not follow that limitations from the specification may be read into the claims.

[5] Patents 291 ⚿168(2.1)

291 Patents
291IX Construction and Operation of Letters Patent
291IX(B) Limitation of Claims
291k168 Proceedings in Patent Office in General
291k168(2) Rejection and Amendment of Claims
291k168(2.1) k. In general. Most Cited Cases

A patent's prosecution history is often of critical significance in determining the meaning of the claims since it may be used to determine the scope and meaning of the claims

[6] Patents 291 ⚿159

291 Patents
291IX Construction and Operation of Letters Patent
291IX(A) In General
291k159 k. Extrinsic evidence in general. Most Cited Cases

Extrinsic evidence was required to construe phrase "generally parallel connecting elements" as to whether connecting elements were required to be generally parallel to stent's longitudinal axis, for purpose of patent claims relating to flexible coronary stent; particular way in which claims required connecting elements to be generally parallel to each other was unclear, based solely on intrinsic evidence of record.

[7] Patents 291 ⚿159

291 Patents
291IX Construction and Operation of Letters Patent
291IX(A) In General
291k159 k. Extrinsic evidence in general.

261 F.3d 1329, 59 U.S.P.Q.2d 1801
(Cite as: 261 F.3d 1329)

Most Cited Cases

When intrinsic evidence is insufficient to enable the court to determine the meaning of a patent's asserted claims, resort may be had to extrinsic evidence.

Patents 291 ⚿328(2)

291 Patents
291XIII Decisions on the Validity, Construction, and Infringement of Particular Patents
291k328 Patents Enumerated
291k328(2) k. Original utility. Most Cited Cases

5,421,955, 5,514,154, 5,603,721, 5,728,158, 5,735,893. Construing.

***1330** Richard A. Bardin, Fulwider Patton Lee & Utecht, LLP, of Los Angeles, CA, argued for plaintiffs-appellants. With him on the brief were Craig B. Bailey and James Juo. Of counsel on the brief were Harvey Kurzweil, Clark E. Walter, Aldo A. Badini, and Bradford J. Badke, Dewey Ballantine LLP, of New York, NY.

***1331** Walter E. Hanley, Jr.Kenyon & Kenyon, of New York, NY, argued for defendants-appellees. With him on the brief were Charles R. Brainard, Douglas E. Ringel, and Reem F. Jishi. Of counsel were Paul H. Heller, of New York, NY; and Mark Michael Supko, of Washington, DC.

Before MICHEL, Circuit Judge, ARCHER, Senior Circuit Judge, and SCHALL, Circuit Judge.

SCHALL, Circuit Judge.

Advanced Cardiovascular Systems, Inc. and Guidant Sales Corp. (collectively, "ACS") appeal the decision of the United States District Court for the Southern District of Indiana granting summary judgment in favor of Scimed Life Systems, Inc. and Boston Scientific Corporation (collectively, "Scimed") in ACS's suit against Scimed for patent infringement. *Adv. Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.*, No. 98-1108 (S.D. Ind. June 28, 2000) ("*Adv. Cardiovascular IV*"). The district court ruled that Scimed was entitled to summary judgment that it did not infringe the asserted claims of United States Patent Nos. 5,421,955 (the "'955 patent"), 5,514,154 (the "'154 patent"), 5,603,721 (the "'721 patent"), 5,728,158 (the "'158 patent"), and 5,735,893 (the "'893 patent"). *Id.* The patents at issue relate to a flexible coronary stent that is adapted to be placed in a patient's blood vessel, expand, and then stay expanded, thereby keeping the involved segment of the vessel open. The asserted claims are directed to the stent, methods for using the stent, and a process for making the stent.

We vacate the district court's grant of summary judgment of non-infringement with respect to claims 11 and 12 of the '955 patent, claims 1-4, 9, and 23 of the '154 patent, claims 1-4 of the '721 patent, and claims 1, 2, 5, 6, 9, and 11-13 of the '158 patent, because the grant of summary judgment was based on an erroneous construction of the term "connecting elements," and the similar terms "interconnected," "connecting members," and "struts for connecting." The court erred in construing these terms as requiring that the stent's connecting elements be parallel both to each other and to the longitudinal axis of the stent. We also vacate the district court's grant of summary judgment of non-infringement with respect to claims 12-15, 17, 18, and 20 of the '154 patent. We do so because the court erred in construing the phrase "generally parallel connecting elements" to require the connecting elements to be generally parallel to the stent's longitudinal axis, and because it is unclear, from the intrinsic evidence, under what frame of reference the claims require the connecting elements to be generally parallel to each other. We affirm, however, the district court's grant of summary judgment of non-infringement with respect to claims 10 and 21 of the '154 patent, claims 14-16, 19, and 20 of the '158 patent, and claims 1, 2, and 4-13 of the '893 patent. The case is remanded to the district court for further proceedings.

BACKGROUND

I.

The '955, '154, '721, '158, and '893 patents all are assigned to ACS. Each patent relates back to two original abandoned applications, Application No. 07/783,558 (the "'558 application"), filed on October 28, 1991, and Application No. 08/164,986 (the "'986 application"), filed on December 9, 1993. Since they all are related to the '558 and '986 applications, the patents have similar specifications and drawings.

The '154 patent's specification and drawings are representative of the specifications and drawings of all

of the patents in suit. The '154 patent is directed to "an expandable stent which is relatively flexible*1332 along its longitudinal axis to facilitate delivery through [a blood vessel], but which is stiff and stable enough radially in an expanded condition to maintain" free passage through a vessel in which the invention is implanted. '154 patent, col. 1, ll. 53-58. The stent 10 is depicted below in Figures 3 and 4 of the '154 patent.

FIG. 3

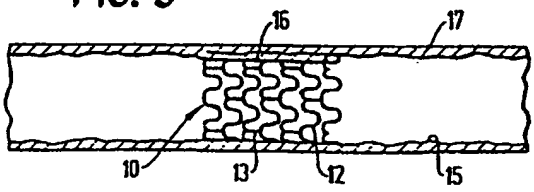

FIG. 4

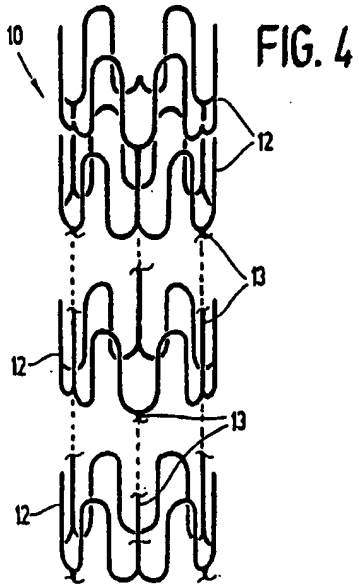

Figure 3 shows the stent 10 inside an artery 15. *Id.* at col. 5, ll. 11-28. The specification describes stent 10 as having a "plurality of radially expandable cylindrical elements," identified as 12 in Figures 3 and 4, that can each "expand and ... flex relative to one another." *Id.* at col. 1, ll. 59-62. "Interconnecting elements or struts," also called "connecting elements" and identified as 13 in Figures 3 and 4, "extend ... between adjacent cylindrical elements" and "provide increased stability and a preferable position to prevent warping of the stent upon the expansion thereof." *Id.* at col. 1, l. 65-col. 2, l. 1. The stent is placed on a balloon or other expandable member. Thereafter, once the stent is placed at the desired location in a blood vessel, the balloon is inflated, the stent expands, and the balloon is removed, leaving the stent in its expanded state, against the blood vessel's walls 15, as shown in Figure 3. *Id.* at col. 4, l. 57-col. 5, l. 10.

The '154 patent notes that "[p]referably, all of the interconnecting elements of the stent are joined at either the peaks or the valleys of the undulating structure of the cylindrical elements.... In this manner there is no shortening of the stent upon expansion." *Id.* at col. 2, l. 67-col. 3, l. 4; *see also id.* at col. 5, ll. 42-51.

This configuration is demonstrated in Figures 3 and 4 of the '154 patent, shown above.

Claim 1 of the '154 patent is directed to the stent itself, and is representative of the apparatus claims asserted by ACS. Claim 1 reads:

> 1. A longitudinally flexible stent for implanting in a body lumen, comprising:
>
> a plurality of cylindrical elements which are independently expandable in the radial direction and which are interconnected*1333 so as to be generally aligned on a common longitudinal axis;
>
> a plurality of connecting elements for interconnecting said cylindrical elements, said connecting elements configured to interconnect only said cylindrical elements that are adjacent to each other; and
>
> an outer wall surface on said cylindrical elements, said outer wall surface being smooth prior to expansion of said stent and forming a plurality of outwardly projecting edges which form as said stent is expanded radially outwardly from a first diameter

to a second, enlarged diameter.

Id. at col. 8, ll. 36-52. Independent claim 12 differs from claim 1, describing "a plurality of *generally parallel* connecting elements...." *Id.* at col. 9, l. 28 (emphasis added).

The '154 patent is a descendant of the '558 application. The '558 application included claims directed to an expandable, flexible stent, a method of using the stent, a process for making the stent, and a kit that included the stent. Some of the '558 application's claims were rejected as being anticipated by United States Patent No. 5,102,417, which was issued to Julio C. Palmaz (the "Palmaz '417 patent"). The '558 application's claims were amended in response to the rejection, but the examiner maintained his rejection based on the Palmaz '417 patent.

The '986 application was filed as a continuation of the '558 application. Eventually, a preliminary amendment to the '986 application was filed, amending certain claims of the application to recite "a plurality of *generally parallel* connecting elements for interconnecting said cylindrical elements ...." (emphasis added). The inventors argued that the amended claims were patentable over the Palmaz '417 patent. The examiner maintained his rejection, however. The '154 patent then was filed as a continuation-in-part of the ' 986 application, and the '986 application was abandoned. The ' 154 patent's claims, directed to an expandable, flexible stent, were allowed. Most of the asserted claims of the '154 patent, such as independent claim 1, simply recite "connecting elements," *see* '154 patent, col. 8, ll. 36, 52, while other asserted claims, independent claim 12 for example, recite "generally parallel connecting elements," *see id.* at col. 9, ll. 23-33.

The '955 patent was filed as a continuation of the '558 application, and the '558 application then was abandoned. The '955 patent's claims are directed to a process for making the expandable, flexible stent.[FN1] Claims 11 and 12 of the '955 patent, the asserted claims, describe the claimed cylindrical elements as being "interconnected," but do not expressly describe the interconnections as being "parallel." '955 patent, col. 8, l. 57-col. 9, l. 10.

FN1. The '955 patent was subject to a reexamination, but the two claims asserted by ACS in this case, claims 11 and 12, were allowed, unamended, at the conclusion of the reexamination.

The '721 patent was filed as a divisional of the '154 patent; it claims a method for using the expandable, flexible stent. The asserted claims of the '721 patent describe the stent as having cylindrical elements that are "interconnected." However, like the asserted claims of the '955 patent, they do not state that the interconnections are "parallel." '721 patent, col. 8, l. 33-col. 10, l. 6.

The '158 patent was filed as a divisional of the '721 patent; its claims are directed to an expandable, flexible stent. Most of the '158 patent claims that ACS asserts against Scimed recite a "longitudinally flexible stent" that has a "plurality of connecting elements." '158 patent, col. 8, l. 47-col. 10, l. 52. Asserted dependent ***1334** claim 2, however, recites a stent in claim 1 "wherein said connecting elements are generally parallel to each other," *id.* at col. 8, ll. 64-65. At the same time, claim 4, which also depends from claim 1 but is not asserted, describes a stent "wherein said connecting elements are generally parallel to the common longitudinal axis of said cylindrical elements," *id.* at col. 9, ll. 1-3.

The '893 patent was filed as a divisional of the '721 patent; its claims are directed to an expandable, flexible stent. The '893 patent's claims recite "connecting members" or "struts for connecting" that join the stent's cylindrical elements. '893 patent, col. 8, l. 32-col. 10, l. 19. None of the asserted claims of the '893 patent modify these terms with the phrase "generally parallel." *Id.*

The accused device that is made by Scimed, the NIR stent, is an expandable, flexible coronary stent. The NIR stent is shown below.

Relevant to the district court's grant of summary judgment of non-infringement, the NIR stent's connecting elements are not straight, such as those seen in Figures 3 and 4 of the '154 patent, but curved vertical loops or U's. These curved connecting elements attach to the peaks or valleys of the horizontal loops that comprise the body of the NIR stent.

II.

In the district court, ACS alleged that Scimed infringed claims 11 and 12 of the '955 patent, claims 1-4, 9, 10, 12-15, 17, 18, 20, 21, and 23 of the ' 154 patent, claims 1-4 of the '721 patent, claims 1, 2, 5, 6, 9, 11-16, 19, and 20 of the '158 patent, and claims 1, 2, and 4-13 of the '893 patent by manufacturing and selling its NIR stent. The parties first asked the court to construe certain terms in the asserted claims. In response, the court construed the asserted claims, adopting ACS's proposed construction of "connecting element," construing the term to mean "an element of the stent that connects adjacent cylindrical elements." *Adv. Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.,* No. 98-1108, slip op. at 16-17 (S.D.Ind. Oct. 15, 1999) ("*Adv. Cardiovascular I* "). The court construed the phrase "generally parallel connecting elements" in independent claim 12 of the '154 patent to mean that the connecting elements must be parallel both to each other and to the stent's longitudinal axis. *Id.* at 25-27. In addition, the court determined that dependent claim 2 of the '158 patent explicitly required the connecting elements to be generally parallel to each other. *Id.* at 26-27. Finally, the court construed the phrase "[a] plurality of outwardly projecting edges" in claims 1 and 23 of the '154 patent, and similar phrases in claim 1 of the '721 patent and claims 1 and 14 of the ' 158 patent, to mean "a number of U-, W-, and Y-shaped members of the cylindrical elements." [FN2] *Id.* at 23-24.

> FN2. ACS argues that the district court's construction of "projecting edges" is erroneous. However, the construction of this term did not form the basis for any judgment of non-infringement by the district court. Since this claim construction is irrelevant to the judgment that is on appeal, we will not address whether the construction was correct. *See Phonometrics, Inc. v. N. Telecom Inc.,* 133 F.3d 1459, 1464, 45 USPQ2d 1421, 1425 (Fed.Cir.1998) (noting that any construction, by a district court or this court, of a claim term that is not at issue is "merely dictum, and therefore has no issue preclusive effect").

***1335** Scimed then moved for a supplemental claim construction, asking, in part, that the district court limit the term "connecting element" in the asserted claims to a "connector that is generally parallel to the longitudinal axis of the stent." *Adv. Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.,* No. 98-1108, slip op. at 1-2 (S.D.Ind. Feb. 9, 2000) ("*Adv. Cardiovascular II* "). The district court granted the request and adopted Scimed's proposed construction, focusing on statements by the inventors during prosecution relating to the Palmaz '417 patent. *Id.* at 4-5. The court also noted that "if the connecting elements claimed in the [asserted patents] must all be generally parallel to the longitudinal axis, they should all be generally parallel to each other." *Id.* at 5 n. 2. We interpret this footnote to mean that the district court construed the term "connecting element" to require the connecting elements to be generally parallel both to each other and to the longitudinal axis of the stent.

Scimed then moved for summary judgment of non-infringement with respect to the asserted claims. In due course, the district court granted summary judgment of non-infringement, either literal or by equivalents, of claims 12-15, 17, 18, and 20 of the '154 patent on the ground that the NIR stent did not have connecting elements that were "generally parallel," as required by the claims. *Adv. Cardiovascular Sys., Inc. v. Scimed Life Sys., Inc.,* No. 98-1108, slip op. at 7-12 (S.D.Ind. Feb. 9, 2000) ("*Adv. Cardiovascular III* "). The court noted that the connecting elements of the NIR stent were not generally parallel to each other, because, when the curved or U shaped connecting elements on opposite sides of the NIR stent were compared, they were "not aligned in the same manner." *Id.* at 8. Rather, they were seen to "run in opposite directions, like, as defendants put it, a smile and a frown." *Id.* The court also noted that the NIR stent's connecting elements were not generally parallel to the stent's longitudinal axis because they were curved and therefore could not be parallel to that axis. *Id.* at 9-10. The court stated that ACS had failed to present any evidence explaining how the NIR stent's connecting elements, which were non-parallel, were equivalent to the claimed "generally parallel connecting elements." *Id.* at 10-12. Concluding, based on the NIR stent's lack

of substantially U-shaped members, that the NIR stent also did not fall within the scope of the '893 patent's claims, the court granted summary judgment of no literal infringement, or infringement under the doctrine of equivalents, of claims 1, 2, and 4-13 of the '893 patent in favor of Scimed.[FN3] *Id.* at 16-17. The court also granted summary judgment of non-infringement of claims 10 and 21 of the ' 154 patent, which require the stent to be formed of a single piece of tubing, and claims 14-16, 19, and 20 of the '158 patent, which require the stent's cylindrical elements to have "a width," *id.* at 17, because, as the district court noted, ACS represented to the court that it would not assert infringement of those claim limitations, *id.* at 3.[FN4]

> FN3. ACS does not appeal the grant of summary judgment relating to the '893 patent. Accordingly, the district court's judgment of non-infringement of claims 1, 2, and 4-13 of the '893 patent, the asserted claims of that patent, is left undisturbed.
>
> FN4. ACS does not appeal this finding. Accordingly, the district court's judgment of non-infringement of claims 10 and 21 of the '154 patent and claims 14-16, 19, and 20 of the '158 patent also is left undisturbed.

ACS then asked the district court to reconsider its construction of "connecting elements," while Scimed requested that the court, based upon its construction of "connecting elements," grant summary judgment of non-infringement of all of the ***1336** claims asserted by ACS. The district court denied ACS's motion for reconsideration, reaffirming its construction of "connecting elements." *Adv. Cardiovascular IV,* slip op. at 7-8. In so doing, the court pointed to the fact that the only embodiment in the asserted patents depicts the connecting elements as generally parallel to the stent's longitudinal axis. *Id.* The district court also based its construction on statements made by the inventors regarding the Palmaz '417 patent during the prosecution of the '986 application, concluding that the inventors described their invention, not just the claims of the '986 application, as superior to the Palmaz '417 patent because it had connecting elements that were generally parallel to the stent's longitudinal axis. *Id.* at 8-10. The court applied its construction of connecting elements to the term "interconnected" in the '955 and '721 patents, and to the terms "connecting members" and "struts for connecting" in the '893 patent because all of those terms refer to the means for connecting the described stent's cylindrical elements. *Id.* at 10-11.

Based on its construction of the term "connecting elements," the district court granted Scimed's motion for summary judgment, finding that the NIR stent did not infringe, either literally or under the doctrine of equivalents, any of the asserted claims because the stent's connecting elements are not generally parallel both to each other and the stent's longitudinal axis. *Id.* at 11-12. The court therefore entered judgment in favor of Scimed. ACS now appeals. We have jurisdiction pursuant to 28 U.S.C. § 1295(a)(1) (1994).

DISCUSSION

I.

Summary judgment "shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." Fed.R.Civ.P. 56(c); *see also Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.,* 200 F.3d 795, 806-07, 53 USPQ2d 1289, 1297 (Fed.Cir.1999); *Wolf v. Northwest Ind. Symphony Soc'y,* 250 F.3d 1136, 1141 (7th Cir.2001). We review a grant of summary judgment without deference. *Conroy v. Reebok, Int'l, Ltd.,* 14 F.3d 1570, 1575, 29 USPQ2d 1373, 1377 (Fed.Cir.1994). In addition, we must, as the district court was required to do, draw all reasonable factual inferences in favor of the nonmovant. *Anderson v. Liberty Lobby, Inc.,* 477 U.S. 242, 255, 106 S.Ct. 2505, 91 L.Ed.2d 202 (1986); *Semiconductor Energy Lab. Co. v. Samsung Elecs. Co.,* 204 F.3d 1368, 1378, 54 USPQ2d 1001, 1008 (Fed.Cir.2000).

[1][2] Determination of a claim of infringement involves a two step inquiry. First, the claims are construed, a question of law in which the scope of the asserted claims is defined. *Cybor Corp. v. FAS Techs., Inc.,* 138 F.3d 1448, 1454-56, 46 USPQ2d 1169, 1172-74 (Fed.Cir.1998) (en banc). Second, the claims, as construed, are compared to the accused device. *Id.* This is a question of fact. *WMS Gaming, Inc. v. Int'l Game Tech.,* 184 F.3d 1339, 1346, 51 USPQ2d 1385, 1389 (Fed.Cir.1999). To prevail, the plaintiff must establish by a preponderance of the evidence that the accused device infringes one or more claims of the patent either literally or under the doctrine of equiva-

lents. *Id.*

II.

[3] We address first the parties' contentions with respect to the remaining asserted claims that do not have any reference to a parallel relationship as far as the "connecting elements" are concerned. Those claims are claims 11 and 12 of the '955 patent, claims 1-4, 9, and 23 of the ***1337** '154 patent, claims 1-4 of the '721 patent, and claims 1, 2, 5, 6, 9, and 11-13 of the ' 158 patent.[FN5] As seen above, the district court construed the term "connecting elements" in the '154 and '158 patents to require the connecting elements to be generally parallel both to each other and to the longitudinal axis of the stent. *Adv. Cardiovascular III,* slip op. at 5-6. The court applied this construction to the term "interconnected" in the asserted claims of the '955 and '721 patents and to the terms "connecting members" and "struts for connecting" in the '893 patent.[FN6] *Adv. Cardiovascular IV,* slip op. at 8-9. Based on this construction, the district court concluded that the NIR stent did not infringe any of the asserted claims because the NIR stent's connecting elements were not parallel both to each other and to the stent's longitudinal axis. *Id.* at 11-12.

> FN5. We note that claim 2 of the '158 patent specifically requires the connecting elements be "generally parallel to each other." '158 patent, col. 8, ll. 64-65. However, the district court granted summary judgment of non-infringement of this claim based on its construction of the term "connecting elements" alone. *Adv. Cardiovascular IV,* slip op. at 11-12. Therefore, we will handle summary judgment of non-infringement of claim 2 of the '158 patent in this part of the opinion, which discusses the construction of "connecting elements" and the grant of summary judgment based on the construction of that term.

> FN6. As noted above, ACS does not appeal the grant of summary judgment of non-infringement relating to the '893 patent.

ACS argues that the district court erred in its claim construction. It asserts that none of the asserted patents ascribe any significance to the orientation of the claimed connecting elements in relation to each other or to the stent's longitudinal axis. ACS notes that the phrase "generally parallel" appears nowhere in the specification, and only appears in some of the asserted claims, specifically independent claim 12, and dependent claims 13-15, 17, 18, and 20 of the '154 patent and dependent claim 2 of the '158 patent. ACS points out that only the drawings of the asserted patents show the connecting elements generally parallel both to each other and the stent's longitudinal axis, and it contends that such a limitation, that only appears in the drawings, should not be read into the claims. ACS also contends that the district court gave too much weight to statements made during the prosecution of the '986 application because the '986 application specifically claimed "generally parallel connecting elements."

Scimed responds that the district court's claim construction was proper. Scimed argues that the only embodiments disclosed in the asserted patents depict the connecting elements in parallel alignment both with each other and with the stent's longitudinal axis. Scimed also argues that the asserted patents emphasize the longitudinal orientation of the connecting elements and the fact that this orientation prevents shortening and deformation of the stent upon expansion. In light of these teachings in the specification, Scimed asserts, the district court properly limited the described connecting elements to connecting elements that are generally parallel both to each other and to the stent's longitudinal axis. Scimed also argues that the inventors expressly disclaimed non-parallel connecting elements during prosecution by indicating that the "invention," not just the claims in the '986 application, was distinguishable from the Palmaz '417 patent because the Palmaz '417 patent disclosed connectors that were not parallel to the stent's longitudinal axis and therefore deformed upon expansion.

We agree with ACS that the district court erred in construing "connecting elements" and the similar terms "interconnected," "connecting members," and ***1338** "struts for connecting" by requiring the stent's connecting elements to be generally parallel both to each other and to the stent's longitudinal axis. We reach this conclusion based on the intrinsic evidence of record-the claims, the specification, and the prosecution history, *Vitronics Corp. v. Conceptronic, Inc.*, 90 F.3d 1576, 1582, 39 USPQ2d 1573, 1576 (Fed.Cir.1996).

We begin our analysis with the claim language.

Pitney Bowes, Inc. v. Hewlett-Packard Co., 182 F.3d 1298, 1305, 51 USPQ2d 1161, 1165 (Fed.Cir.1999) ("The starting point for any claim construction must be the claims themselves."). In that regard, none of the claims presently under discussion require the recited "connecting elements," "interconnected" members, "connecting members," or "struts for connecting," to be "generally parallel" both to each other and to the stent's longitudinal axis. For example, independent claim 1 of the '154 patent simply recites "a plurality of connecting elements." '154 patent, col. 8, l. 43. The claim continues, indicating that the connecting elements are "configured to interconnect only said cylindrical elements that are adjacent to each other...." *Id.*, col. 8, ll. 44-46. The claim has no other express structural limitations on the claimed connecting elements. In contrast, independent claim 12 of the '154 patent, which is discussed in Part III below, recites "a plurality of *generally parallel* connecting elements...." *Id.*, col. 9, l. 28 (emphasis added). Claim 12's language includes an express limitation on the described connecting elements, that they be generally parallel. Based on the claim language alone, the term "connecting elements," and the terms "interconnected," "connecting members," and "struts for connecting," are not limited to those connectors that parallel each other and the stent's longitudinal axis.

[4] The specification further supports not requiring the connecting elements described in the asserted claims to be generally parallel both to each other and to the stent's longitudinal axis. "Claims must be read in view of the specification, of which they are a part." *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 979, 34 USPQ2d 1321, 1329 (Fed.Cir.1995), *aff'd*, 517 U.S. 370, 116 S.Ct. 1384, 134 L.Ed.2d 577, 38 USPQ2d 1461 (1996). However, "[w]hile it is true that claims are to be interpreted *in light* of the specification and with a view to ascertaining the invention, it does not follow that limitations from the specification may be read into the claims...." *Sjolund v. Musland*, 847 F.2d 1573, 1581, 6 USPQ2d 2020, 2027 (Fed.Cir.1988). Here, the specification does not require the connecting elements be parallel to each other and to the stent's longitudinal axis. Scimed admits that the phrase "generally parallel" only appears in the patents in suit when it is used in a particular claim. At the same time, the specifications of the asserted patents do not discuss the orientation of the connecting elements in relation to each other or to the longitudinal axis of the described stent. Looking at the '154 patent for example, the specification's only discussion of the connecting elements' orientation states that the connecting elements are "disposed between adjacent cylindrical elements," '154 patent, col. 4, ll. 25-26, and that this adjacent placement "prevents shortening of the stent during the expansion thereof," *id.* at col. 5, ll. 50-51. *See also id.* at col. 3, ll. 1-4 (noting that the connecting elements should be joined at "either the peaks or the valleys of the undulating structure of the cylindrical elements.... In this manner there is no shortening of the stent upon expansion."). The specification's only other discussion of the connecting elements' orientation indicates that it is preferred to place them "on one side of the ***1339** cylindrical element 12 ... to achieve maximum flexibility for a stent." *Id.* at col. 5, ll. 34-37. Contrary to Scimed's assertions, none of the specifications of the asserted patents teach that the connecting elements must be parallel both to each other and to the stent's longitudinal axis in order to prevent the shortening of the stent when the stent is expanded. As noted above, the specifications teach that it is the attachment of the connecting elements to either the peaks or the valleys of the cylindrical elements, as demonstrated in Figures 3 and 4 of the '154 patent, not the parallel placement of the connecting elements, that prevents shortening upon the stent's expansion.

Scimed correctly notes that all of the drawings in the asserted patents depict the connecting elements in parallel alignment both with each other and the stent's longitudinal axis. However, this fact, by itself, does not support adding such a limitation to the claims. *See Johnson Worldwide Assoc., Inc. v. Zebco Corp.*, 175 F.3d 985, 992, 50 USPQ2d 1607, 1612 (Fed.Cir.1999) (noting that "mere inferences drawn from the description of an embodiment of the invention cannot limit claim terms"). Without a "generally parallel" limitation in the claim or a discussion in the specification about the claimed connecting elements being generally parallel both to each other and to the stent's longitudinal axis, the drawings' depiction of the connecting elements in parallel relationship both with each other and the stent's longitudinal axis can not support the conclusion that such a limitation exists. Since nothing in the specification assigns significance to the fact that the drawings align the connecting elements parallel both to each other and to the stent's longitudinal axis, we will not allow this aspect of the drawings to be imported into the claims as a limitation. *See, e.g., Kraft Foods, Inc. v. Int'l Trading Co.*, 203 F.3d 1362, 1367-69, 53 USPQ2d 1814, 1818-19 (Fed.Cir.2000) (indicating that the claim term "pro-

tecting back panel" was limited to a "relatively stiff" panel because, in addition to other intrinsic evidence, the specification's text described the back panel in the patent's drawings as being "constructed of a relatively stiff material"); *Toro Co. v. White Consol. Indus, Inc.*, 199 F.3d 1295, 1300-02, 53 USPQ2d 1065, 1069-70 (Fed.Cir.1999) (construing the claim term "including" to mean "part of" and "permanently attached" because, in addition to the patent's drawings, the specification's text stressed that the claimed vacuum/blower's flow restriction ring was part of and attached to the invention's air inlet cover); *Wang Labs., Inc. v. Am. Online, Inc.*, 197 F.3d 1377, 1382-83, 53 USPQ2d 1161, 1164-65 (Fed.Cir.1999) (noting that the claims were limited to a character-based protocol because of the express teachings of such a protocol in *both* the patent's specification and the drawings). In this case, the specifications only discuss the orientation of the connecting elements in relation to the cylindrical elements, not to other connecting elements or the stent's longitudinal axis. Therefore, although the drawings show the connecting elements parallel both to each other and to the stent's longitudinal axis, the drawings do not require limiting the claimed connecting elements to a configuration in which they are in parallel alignment both with each other and with the stent's longitudinal axis.

[5][6] Finally, we note that the prosecution history supports a claim construction that does not require that the recited "connecting elements" be generally parallel both to each other and to the stent's longitudinal axis. The prosecution history "is often of critical significance in determining the meaning of the claims," *Vitronics*, 90 F.3d at 1582-83, 39 USPQ2d at 1577, since it may be used to determine the scope and meaning of the claims, ***1340***Alpex Computer Corp. v. Nintendo Co.*, 102 F.3d 1214, 1220, 40 USPQ2d 1667, 1671 (Fed.Cir.1996).

The prosecution history does not support the district court's claim construction. In prosecuting the '986 application, the inventors argued that, in contrast to the Palmaz '417 patent's non-parallel connecting members, "the independent claims of the present invention recite a plurality of generally parallel connecting elements." However, when making this argument, the inventors were referring to the specific language in the '986 application's claims, language that recited "a plurality of *generally parallel* connecting elements," to distinguish the '986 application from the Palmaz '417 patent. As discussed below in Part III, this language appears in other asserted claims of the '154 patent, specifically claims 12-15, 17, 18, and 20. The inventors explicitly limited their arguments to the '986 application's claims that recite "generally parallel connecting elements," not to claims that only recite "connecting elements." Therefore, the arguments do not apply to the invention's connecting elements in general, but only to connecting elements that are described, in the claims, as "generally parallel."

Scimed, however, points to statements that the inventors made that allegedly applied to their invention in general and that, therefore, were not exclusive to the '986 application's claim language. In distinguishing the Palmaz ' 417 patent, the inventors stated:

> Moreover, Applicants' invention is superior to the stent disclosed in the Palmaz patent from a functional standpoint. As is clearly shown in Figs. 7 and 10 of the '417 Palmaz patent, due to its construction, upon expansion, the stent will substantially shorten as the slotted members of the stent body expand. Further, connecting members 100 and 102 deform upon expansion, as depicted in Figure 10, which adds to the shortening of the stent....
>
> The problem of stent shortening as taught by Palmaz has been solved by Applicants' invention due to its novel structure. The connecting elements of Applicants' invention are configured to "interconnect only said cylindrical elements that are adjacent to each other." Accordingly, as Applicants' stent is expanded from its first configuration to a larger configuration, the stent will not appreciably shorten....

We reject Scimed's argument. Even if these statements could apply to the claims that are now at issue, the inventors argued that their invention's structure was superior to the Palmaz '417 patent because the Palmaz '417 patent allowed substantial shortening upon expansion while "[t]he connecting elements of [the inventors'] invention are configured to 'interconnect only said cylindrical elements that are adjacent to each other.' Accordingly, as [the inventors'] stent is expanded from its first configuration to a larger configuration, the stent will not appreciably shorten." The inventors thus argued that their invention was superior to the Palmaz '417 patent because it

configured the connecting elements to join adjacent cylindrical elements. The inventors did not argue that their invention was superior because its connecting elements were parallel to the stent's longitudinal axis. Finally, even if parts of the '986 application's prosecution history could be viewed as applying to asserted claims that do not explicitly describe "generally parallel connecting elements," the prosecution history does not support the district court's claim construction. As discussed below in Part III, nowhere in the prosecution history did the inventors indicate that their invention, in general, required that the connecting elements be parallel to each other and to the stent's longitudinal axis.

***1341** The district court erred in construing the claim terms "connecting elements," "interconnected," "connecting members," and "struts for connecting" as requiring connecting members to run parallel both to each other and to the longitudinal axis of the stent. The court's grant of summary judgment of no literal infringement or infringement under the doctrine of equivalents with respect to claims 11 and 12 of the '955 patent, claims 1-4, 9, and 23 of the '154 patent, claims 1-4 of the '721 patent, and claims 1, 2, 5, 6, 9, and 11-13 of the '158 patent was based on this incorrect construction, *Adv. Cardiovascular IV,* slip op. at 11-12. We therefore vacate the district court's grant of summary judgment with regard to those claims, and remand for further proceedings.

III.

In contrast to the asserted claims just discussed that only recite "connecting elements," independent claim 12 and dependent claims 13-15, 17, 18, and 20 of the '154 patent specifically claim "a plurality of generally parallel connecting elements." '154 patent, col. 9, l. 25-col. 10, l. 17. The court construed the phrase "generally parallel connecting elements" to require the described connecting elements to run generally parallel both to each other and to the stent's longitudinal axis. *Adv. Cardiovascular I,* slip op. at 25-27. Based on this construction, the court granted summary judgment of no literal infringement of claims 12-15, 17, 18, and 20 of the '154 patent because it found that the connecting elements on the opposite sides of the NIR stent are not generally parallel to each other because they curve in opposite directions. *Adv. Cardiovascular III,* slip op. at 8. The court also noted that the connecting elements of the NIR stent are not parallel to the stent's longitudinal axis because, while the longitudinal axis is straight, the connecting elements are curved. *Id.* at 9. The court also granted summary judgment of no infringement under the doctrine of equivalents, finding that ACS had failed to present any evidence to support its contention that non-parallel connecting elements are insubstantially different from the claimed generally parallel connecting elements. *Id.* 10-12.

ACS argues that claims 12-15, 17, 18, and 20 of the '154 patent only require the connecting elements to be generally parallel to each other, not to the stent's longitudinal axis. ACS asserts that, under this construction, the NIR stent's connecting elements meet the "generally parallel" limitation because, while curved, they are still parallel to each other. Scimed responds by arguing that the district court properly construed "generally parallel connecting elements" to require the connecting elements be parallel both to each other and to the stent's longitudinal axis. Relying upon this construction, Scimed asserts that the NIR stent cannot infringe because its connecting elements are curved, making them non-parallel to each other and to the stent's longitudinal axis.

We conclude that the district court erred in construing claims 12-15, 17, 18, and 20 of the '154 patent as requiring connecting elements that run parallel to the longitudinal axis of the stent. These claims simply recite "generally parallel connecting elements." *See, e.g., id.* at col. 9, l. 28. The claims contain no language explicitly requiring the connecting elements to be parallel to the longitudinal axis of the stent. In addition, as noted above in Part II, there is no support for such a construction in the '154 patent's specification or drawings.

Scimed, however, points to the prosecution history. It argues that the inventors distinguished their invention over the disclosure of the Palmaz ' 417 patent on the ground that the Palmaz '417 patent disclosed***1342** connecting members that were not parallel to the longitudinal axis of the stent. The prosecution history does not support this argument.

It is important to recognize exactly what the inventors stated with respect to the Palmaz '417 patent and their invention, as disclosed in the '986 application:

The '417 Palmaz patent discloses connector mem-

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(Cite as: 261 F.3d 1329)

bers 100 which are preferably disposed in a "non-parallel" relationship with respect to the longitudinal axis of adjacent grafts or prosthesis 70.... As seen in Figures 7-10 of Palmaz, each of the connector members 100 and 102 are disposed in a non-parallel relationship with respect to the longitudinal axis of the adjacent prosthesis 70.

* * *

[T]he independent claims of the present invention recite "a plurality of generally parallel connecting elements" which clearly distinguish over the preferred "non-parallel" connecting members 100 of the '417 Palmaz patent.

Figures 7, 9, and 10 from the Palmaz '417 patent are as follows:

FIG.10

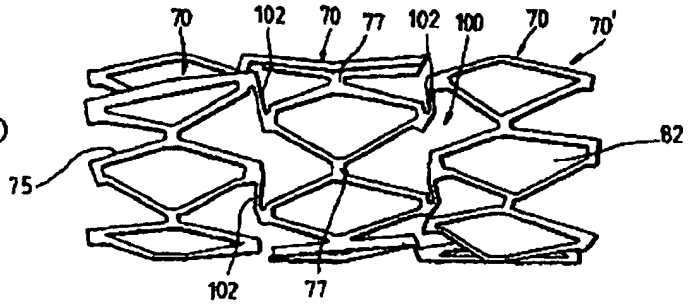


FIG.7

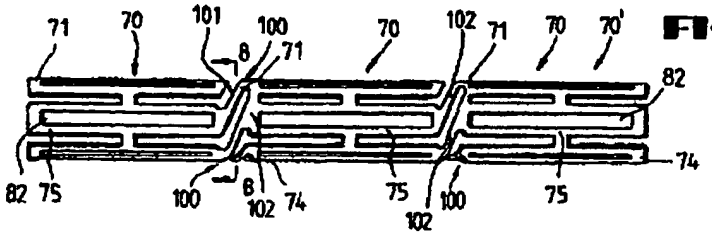
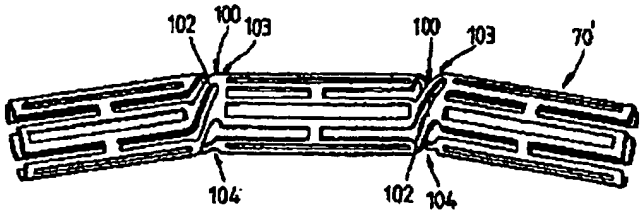


FIG.9



The inventors did not argue that connecting members 100 and 102 are in a non-parallel relationship with the longitudinal axis of what would be the "stent" in Palmaz, which is designated by the number 70". *See* Palmaz '417 patent col. 12, ll. 15-17 (stating that "graft or prosthesis, 70" is illustrated as including three grafts, or prostheses, 70, flexibly connected to one another by connecting members 100"). Rather, they argued that connecting members 100 and 102 were in a non-parallel ***1343** relationship with "graft" or "prosthesis" elements 70. In other words, the inventors were not saying that their invention was distinguished from the Palmaz '417 patent because Palmaz had connecting members that were not parallel to the longitudinal axis of the stent, which, by inference, their invention did. Rather, they were saying that their invention, unlike the Palmaz '417 patent, *see* connecting members 100 and 102 in Figures 7, 9, and 10 above, had connecting members that were in parallel alignment with the longitudinal axis of prosthesis 70. Thus, the inventors neither stated nor suggested during prosecution that their invention was limited to a stent in which the connecting members were in parallel alignment with the longitudinal axis of the stent.[FN7]

FN7. After the statements cited above were made, the examiner responded that "there is no limitation of the claim which requires the connector members to be parallel to the lon-

> gitudinal axis of the stent; only that the connector members are 'generally parallel'." This response by the examiner further supports our conclusion that the inventors were not defining "generally parallel connecting elements" to mean connecting elements that are parallel to the stent's longitudinal axis.

As already seen, the district court based its grant of summary judgment of non-infringement on two aspects of the NIR stent: that the stent's connecting elements are not parallel to each other and are not parallel to the stent's longitudinal axis. While claims 12-15, 17, 18, and 20 of the '154 patent do not contain the latter limitation, neither party disputes that the claims require the former limitation-that the connecting elements be parallel to each other. When determining whether this limitation had been infringed, the district court noted that, "[w]hen the elements of the stent have been cut from [a] flat sheet, the 'connecting elements' in any particular row would be parallel to one another," but "[w]hen the sheet is rolled to form the finished stent, however, the NIR stent's 'connecting elements' are not aligned in the same manner [because] '[c]onnecting elements' on opposite sides of the cylinder run in opposite directions...." *Adv. Cardiovascular III,* slip op. at 8. The court thus concluded that, for purposes of infringement, it was required to look at the finished stent, and that in the finished NIR stent, the connecting elements are not generally parallel to each other. *Id.*

ACS does not dispute the district court's description of the NIR stent's connecting elements. Nor, as just noted, does ACS dispute the district court's construction that the claims require the connecting elements to be generally parallel to each other. Instead, ACS argues that the district court's analysis as to whether the connecting elements are actually parallel to each other uses the wrong frame of reference. ACS asserts that the correct frame of reference for comparing the connecting elements is not a linear plane cutting through opposite sides of the stent, but a cylindrical plane following the surface of the stent. ACS argues that along the cylindrical plane of the stent, the connecting elements are parallel to each other. ACS notes that, during prosecution, the examiner considered the Palmaz '417 patent's connecting elements, which are slanted, to be parallel, further supporting its argument that the NIR stent's connecting elements, which are also not straight, are parallel. Scimed responds that the connecting elements on the opposite sides of the NIR stent are not parallel to each other because, when looking through the stent, they curve in opposite directions. Therefore, Scimed contends, the NIR stent cannot infringe.

The parties' arguments present a question of claim construction. Neither party ***1344** disputes the shape of the NIR stent's connecting elements or that claims 12-15, 17, 18, and 20 of the '154 patent require the connecting elements be generally parallel to each other. What the parties do dispute is the manner in which the connecting elements are required to be parallel. ACS argues that the connecting elements only need to be parallel to each other as they are compared when looking around the cylindrical surface of the stent, while Scimed and the district court compare connecting elements by looking through the side of the stent. Nothing in the intrinsic evidence of record suggests that one method of determining parallelism is correct over the other. The claims simply recite "a plurality of generally parallel connecting elements," providing no indication of the frame of reference in which the connecting elements should be parallel to each other. As noted in Part II, *supra,* the specification does not mention the connecting elements being parallel. The drawings show parallel connecting elements, but the connecting elements in the drawings are straight lines, which are parallel to each other in both a cylindrical plane and a linear plane. ACS correctly notes that the prosecution history contains statements by the examiner that the Palmaz '417 patent's connecting elements, which would not be parallel under Scimed's construction, are generally parallel to each other, but these statements alone do not support ACS's construction. There are no statements by the inventors, or the examiner, that indicate the specific manner in which the connecting elements are required to be generally parallel to each other.

[7] When "intrinsic evidence is insufficient to enable the court to determine the meaning of the asserted claims," resort may be had to extrinsic evidence. *Vitronics,* 90 F.3d at 1584, 39 USPQ2d at 1578. Extrinsic evidence will be particularly helpful in this case when construing the claims and properly determining what it means to someone skilled in the art to require the connecting elements to be "generally parallel" to each other. *Pitney Bowes,* 182 F.3d at 1308-09, 51 USPQ2d at 1168.

For the foregoing reasons, we vacate the district court's grant of summary judgment of non-infringement of claims 12-15, 17, 18, and 20 of the '154 patent. On remand, the district court may consider extrinsic evidence, "such as expert testimony, inventor testimony, dictionaries, and technical treatises and articles," *Vitronics*, 90 F.3d at 1584, 39 USPQ2d at 1578, in order to determine in what manner the connecting elements should be "generally parallel" to each other.

CONCLUSION

The district court erred in construing the claim terms "connecting elements," "interconnected," "connecting members," and "struts for connecting" by improperly requiring the connecting elements to be both generally parallel to each other and to the stent's longitudinal axis. We therefore vacate the court's grant of summary judgment of no literal infringement or infringement by equivalents of claims 11 and 12 of the '955 patent, claims 1-4, 9, and 23 of the '154 patent, claims 1-4 of the '721 patent, and claims 1, 2, 5, 6, 9, and 11-13 of the '158 patent, which was based solely on this erroneous construction. We additionally hold that the district court erred in construing the phrase "generally parallel connecting elements" in claims 12-15, 17, 18, and 20 of the '154 patent to require the connecting elements to be generally parallel to the stent's longitudinal axis. We vacate the court's grant of summary judgment of non-infringement of these claims because the particular way in which the claims require the connecting elements to ***1345** be generally parallel to each other is unclear, based solely on the intrinsic evidence of record. We affirm the district court's grant of summary judgment of non-infringement of claims 10 and 21 of the '154 patent, claims 14-16, 19, and 20 of the '158 patent, and claims 1, 2, and 4-13 of the ' 893 patent. The case is remanded to the district court for further proceedings consistent with this opinion.

AFFIRMED-IN-PART, VACATED-IN-PART, and REMANDED.

COSTS

Each party shall bear its own costs.

C.A.Fed. (Ind.),2001.
Advanced Cardiovascular Systems, Inc. v. Scimed Life Systems, Inc.
261 F.3d 1329, 59 U.S.P.Q.2d 1801

END OF DOCUMENT

Exhibit C.2.(b)

UNITED STATES DISTRICT COURT SOUTHERN INDIANA

ADVANCED CARDIOVASCULAR SYSTEMS -VS- SCIMED LIFE SYSTEMS, INC IP98-C-1108 -H/G

FILED	CLOSED	NATR SUIT	JURY?	DEMAND ($1000)	JUDGE	MAGISTRATE
08/12/1998	06/28/2000	830	Y	0	HAMILTON	GODICH

CAUSE: PROPERTY RIGHTS; Patent

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DATE	NR.	PROCEEDINGS
08/12/1998	1	COMPLAINT FOR PATENT INFRINGEMENT & DEMAND FOR JURY TRIAL eod 08/12/98 [CFW]
08/12/1998	2	SUMMONS ISSUED eod 08/12/98 [CFW]
08/12/1998	3	CIVIL COVER SHEET eod 08/12/98 [CFW]
08/12/1998	4	MAGISTRATE'S NOTICE eod 08/12/98 [CFW]
08/12/1998	5	RECEIPT #031918 - CC for $150.00 filing fee eod 08/12/98 [CFW]
08/20/1998	6	RETURN of service by CMRRR dated 8/17/98 on Boston Scientific c/o CT Corp. eod 08/21/98 [PLP]
08/20/1998	7	RETURN of service by CMRRR dated 8/17/98 on Scimed Life Systems, Inc. eod 08/21/98 [PLP]

09/08/1998	8	NOTICE OF PARTIES' FIRST EXTENSION OF TIME in that deft has until 09/14/98 to resp. to compl. cs DEFT eod 09/08/98 [CFW]
09/09/1998	9	APPEARANCE of Mary Titsworth Chandler on behalf of the defts. c/s eod 09/09/98 [PLM]
09/10/1998	10	MOTION PRO HAC VICE to admit Charles Brainard, Arthur Gray, Douglas Ringel & Paul Bondor of Kenyon & Kenyon, New York, NY on behalf of the defts. c/s eod 09/10/98 [PLM]
09/10/1998	11	RECEIPT #032312 -- $120.00 fee for pro hac vice motions eod 09/10/98 [PLM]
09/11/1998	12	NOTICE ASSIGNS P/T to 10/23/98 at 04:00PM Room 330 (DFH) c/m Parties to submit proposed C.M.P. DFH cm eod 09/11/98 [CFW]
09/11/1998	13	ORDER grants Charles R. Brainard, Arthur D. Gray, Douglas E. Ringel & Paul A. Bondor of KENYON & KENYON for defts. DFH cm eod 09/11/98 [CFW]
09/14/1998	14	ANSWER to the complaint for patent infringement and demand for jury trial. c/s DEFTS eod 09/14/98 [PLM]
09/18/1998	15	MOTION PRO HAC VICE by Richard A. Bardin, John S. Nagy, Michael S. Elkind and Pamela G. Maher of Fulwider Patton Lee & Utecht on behalf of pltfs. c/s eod 09/21/98 [PLM]
09/18/1998	16	RECEIPT #032408 - $120.00 pro hac vice fee paid. eod 09/21/98 [PLM]
09/18/1998	17	ORDER grants motion pro hac vice filed 9/18/98. c/m DFH eod 09/21/98 [PLM]
09/22/1998	18	APPEARANCE of Jennifer H. Langston of Wooden & McLaughlin on behalf of defendants. c/s eod 09/23/98 [PLM]
10/01/1998	19	APPEARANCE of John D. Waller, Wooden & Mclaughlin, on behalf of the defts. c/s eod 10/01/98 [PLM]
10/02/1998	20	MOTION TO TRANSFER venue to more convenient forum. c/s DEFTS eod 10/05/98 [PLM]
10/02/1998	21	MEMORANDUM in support of their motion to transfer this action. c/s DEFTS eod 10/05/98 [PLM]
10/02/1998	22	APPENDIX of exhibits in support of defts motion to transfer venue. c/s DEFTS eod 10/05/98 [PLM]
10/08/1998	23	NOTICE OF PARTIES' FIRST EXTENSION OF TIME until 11/02/98 for defts to respond to pltfs first discovery request. c/s DEFTS eod 10/08/98 [PLM]
10/09/1998	24	MOTION FOR CONT OF SCHEDULED pretrial conference of 10/23/98. c/s DEFTS eod 10/13/98 [PLM]
10/15/1998	25	RESPONSE to defts' motion to continue initial pretrial conference. c/s PLTFS eod 10/15/98 [PLM]
10/16/1998	26	ORDER ASSIGNS HEARING to 10/23/98 at 04:00PM Room 344 (DFH) c/m on defendants' pending motion to transfer. eod 10/16/98 [PLM]
10/16/1998	27	CASE MANAGEMENT PLAN TENDERED BY plaintiffs only. c/s eod 10/16/98 [PLM]

10/16/1998	28	CASE MANAGEMENT PLAN TENDERED BY DEFTS (PROPOSED) - Under Local Rule 16(d) eod 10/19/98 [LMW]
10/20/1998	29	MEMORANDUM in opposition to defts' motion to transfer. c/s PLTFS eod 10/21/98 [PLM]
10/23/1998	30	ENTRY on 10/23/98 hearing. Defts' mot. to transfer is denied for reasons stated in open court. (Ct. reporter, F. Pratt) DFH cm eod 10/23/98 [CFW]
10/30/1998	31	CASE MANAGEMENT PLAN TENDERED BY parties. eod 10/30/98 [PLM]
10/29/1998	32	MOTION PRO HAC VICE to admit Walter E. Hanley and Winston E. Henderson of Kenyon & Kenyon, New York, as counsel to defts. c/s eod 11/02/98 [PLM]
10/29/1998	33	RECEIPT #032930 - $60.00 pro hac vice fee. (2 admissions) eod 11/02/98 [PLM]
11/02/1998	34	ORDER grants Walter Hanley and Winston Henderson leave to appear. c/m DFH eod 11/02/98 [PLM]
11/03/1998	35	CT. APPROVES & ENTERS C.M.P. DFH cm eod 11/03/98 [CFW]
11/03/1998	=	ORDER ASSIGNS JURY TRIAL to 02/22/00 at 09:00AM Room 344 (DFH) c/m eod 11/03/98 [CFW]
11/03/1998	=	ORDER ASSIGNS P/T to 02/11/00 at 09:30AM Room 330 (DFH) c/m eod 11/03/98 [CFW]
11/03/1998	=	ORDER ASSIGNS HEARING to 08/19/99 at 09:00AM Room 344 (DFH) c/m Markman hearing on claim construction. DFH cm eod 11/03/98 [CFW]
12/21/1998	36	NOTICE OF EXT. OF TIME FOR RESPONSES TO DEFTS' INITIAL DISC. REQUESTS to 04/04/99. cs PLTFS eod 12/21/98 [CFW]
01/15/1999	37	CT REPORTER'S TRANSCRIPT of the 10/23/98 hearing. (ct. reporter, F. Pratt) eod 01/15/99 [CFW]
02/09/1999	38	MOTION PRO HAC VICE for pltfs by Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo a. Badini, David F. Owens and Henry J. Ricardo with the law firm of Dewey Ballantine LLP. c/s eod 02/12/99 [PLM]
02/09/1999	39	RECEIPT #34186 in the amount of $180.00 for pro hac vice filing fees. eod 02/12/99 [PLM]
02/12/1999	40	ORDER grants pro hac vice motions. c/m DFH eod 02/12/99 [PLM]
02/23/1999	41	APPEARANCE - by pro hac vice counsel on behalf of the pltfs. c/s eod 02/23/99 [PLM]
03/08/1999	42	MOTION PRO HAC VICE by P. McCoy Smith, Reem F. Jishi, Mark a. Rueh and Marian Underweiser of Kenyon & Kenyon of New York. c/s DEFTS eod 03/08/99 [PLM]
03/08/1999	43	RECEIPT #34567 $120.00 pro hac vice filing fee. eod 03/08/99 [PLM]
03/08/1999	44	ORDER grants motion pro hac vice. c/m DFH eod 03/08/99 [PLM]

03/12/1999	45	MOTION to join Medtronic Ave., Inc., or alternatively, for a stay or for transfer. c/s DEFTS eod 03/12/99 [PLM]
03/12/1999	46	MEMORANDUM in support of defts' motion to join Medtronic Ave, Inc, or alternatively, for a stay or for transfer. c/s DEFTS eod 03/12/99 [PLM]
03/12/1999	47	APPENDIX OF EXHIBITS in support of defts motion to join Medtronic Ave., Inc. c/s DEFTS eod 03/12/99 [PLM]
03/22/1999	48	NOTICE OF PARTIES' FIRST EXTENSION OF TIME UNTIL 04/05/99 to respond to discovery. c/s DEFTS eod 03/23/99 [PLM]
03/29/1999	49	MEMO. IN OPP. TO DEFTS' MOT TO JOIN, STAY OR TRANSFER. cs PLTFS eod 03/29/99 [CEB]
03/29/1999	50	AFFIDAVIT OF HARVEY KURZWEIL. cs PLTFS eod 03/29/99 [CEB]
03/29/1999	51	CERTIFICATE OF SERVICE of memo & affidavit of Kurzweil. by PLTFS eod 03/29/99 [CEB]
04/07/1999	52	REPLY MEMO. IN SUPPT. OF MOT. TO JOIN, OR ALTERNATIVELY, FOR STAY OR TRANSFER. cs DEFTS eod 04/07/99 [CEB]
04/07/1999	53	SUPPL. APPENDIX OF EXHIBITS IN SUPPT. OF MOT. TO JOIN, etc. cs DEFTS eod 04/07/99 [CEB]
04/07/1999	54	REQUEST FOR ORAL ARGUMENT ON MOT. TO JOIN, etc. cs DEFTS eod 04/07/99 [CEB]
04/09/1999	55	SUPPLEMENTAL MEMORANDUM of law in further opposition to defts' motion to join Medtronic Ave, Inc., or, alternatively, for a stay or for transfer. c/s PLTFS eod 04/09/99 [PLM]
04/19/1999	56	NOTICE of motion and motion for leave to file response to defts' motion to join Medtronic Ave., Inc. c/s NON-PARTY MEDTRONIC AVE, INC. eod 04/19/99 [PLM]
04/19/1999	57	APPEARANCE of Max W. Hittle, Jr. of Krieg DeVault Alexander & Capehart and enters their limited appearance on behalf of non-party Medtronic Ave, Inc. c/s eod 04/19/99 [PLM]
04/20/1999	58	ORDER grants non-party Medtronic AVE. Inc. leave to file response to deft's Mot. to Join Medtronic. DFH cm eod 04/20/99 [CEB]
04/20/1999	59	RESPONSE TO DEFENDANTS' MOTION TO JOIN MEDTRONIC AVE., INC. cm NON-PARTY MEDTRONIC AVE., INC. eod 04/20/99 [CEB]
04/21/1999	60	SUPPLEMENTAL MEMORANDUM OF LAW in support of pltfs' memorandum of law in opposition to defts' motion to join Medtronic Ave, Inc. or alternatively for a stay or for transfer. c/s PLTFS eod 04/21/99 [PLM]
04/29/1999	61	MOTION TO COMPEL discovery regarding opinions of counsel upon which defts intend to rely, or, alternatively, precluding defts from relying upon such opinions, and, (ii) for a unified trial. c/s PLTFS eod 04/29/99 [PLM]
04/29/1999	62	MEMORANDUM of law in support of pltfs' motion to compel discovery. c/s PLTFS eod 04/29/99 [PLM]

04/29/1999	63	AFFIDAVIT OF BRADFORD J. BADKE. eod 04/29/99 [PLM]
05/12/1999	64	ORDER - PROTECTIVE ORDER. DFH c/m eod 05/12/99 [PLM]
05/12/1999	65	MOTION FOR PRETRIAL CONFERENCE. cs PLTFS eod 05/12/99 [CEB]
05/12/1999	66	MOTION TO COMPEL AND FOR ISSUANCE OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE. cs PLTFS (filed under seal). eod 05/12/99 [CEB]
05/12/1999	67	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S MOTION TO COMPEL AND FOR ISSUANCE OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE. cs PLTFS(filed under seal). eod 05/12/99 [CEB]
05/12/1999	68	STATEMENT OF COMPLIANCE WITH LOCAL RULE 37.1. cs PLTFS(filed under seal). eod 05/12/99 [CEB]
05/12/1999	69	MOTION for trial of damages and willfulness separate from liability, and for a stay of discovery regarding advice of counsel until after liability is determined. c/s DEFTS eod 05/12/99 [PLM]
05/12/1999	70	MEMORANDUM of law in opposition to pltfs' motion to compel discovery regarding advice of counsel and for a unified trial; and in support of defts motion for trial of damages and willfulness separate from liability, and for a stay of discovery regarding advice of counsel.(FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER OF 5/12/99) eod 05/12/99 [PLM]
05/12/1999	71	APPENDIX OF EXHIBITS RE: foregoing memorandum filed under seal by defendants. (EXHIBITS FILED UNDER SEAL pursuant to protective order of 5/12/99) eod 05/12/99 [PLM]
05/13/1999	72	ORDER grants plaintiff's motion for a pre-trial conference and ORDERS that a pre-trial conference be held on 05/27/99 at 10:00 am. DFH cm eod 05/13/99 [CEB]
05/24/1999	73	REPLY MEMORANDUM (1) in support of pltfs' motion to compel discovery regarding opinions of counsel et al (2) in opposition to defts' motion for trial of damages and willfulness separate from liability, and for a stay of discovery regarding advice of counsel until after liability is determined (FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER OF 5/12/99). c/s PLTFS eod 05/24/99 [PLM]
05/26/1999	74	MEMORANDUM in opposition to pltf's motion to compel and for issuance of request for international judicial assistance. c/s DEFTS (FILED UNDER SEAL PURSUANT TO 5/12/99 PROTECTIVE ORDER) eod 05/26/99 [PLM]
05/26/1999	75	APPENDIX OF EXHIBITS in opposition to pltf's motion to compel. c/s DEFT (FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER OF 5/12/99) eod 05/26/99 [PLM]
06/01/1999	76	REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF PLAINTIFFS' MOTION TO COMPEL AND FOR ISSUANCE OF REQUEST FOR INTERNATIONAL ASSISTANCE. (filed under seal). cs PLTFS. eod 06/01/99 [CEB]
06/01/1999	77	REPLY MEMORANDUM IN SUPPORT OF THEIR MOTION FOR TRIAL OF DAMAGES AND WILLFULNESS SEPARATE FROM LIABILITY, AND FOR A STAY OF DISCOVERY REGARDING ADVICE OF COUNSEL UNTIL AFTER LIABILITY IS DETERMINED. (filed under seal). cs DEFTS. eod 06/01/99 [CEB]
06/15/1999	78	ENTRY DENIES defendants' motion to join Medtronic Ave, Inc. or for a stay or transfer. DFH c/m eod 06/15/99 [PLM]

06/15/1999	79	ENTRY DENIES defendants' motion for bifurcation of trial and to stay discovery on advice of counsel relevant to the issue of willful infringement. Court also ORDERS defts to file a statement with court no later than 5:00 p.m. 06/30/99, stating whether they intend to rely on evidence of advice of counsel with respect to willfulness and (b) if defts do intend to rely on such evidence, to produce to pltfs no later than 07/09/99. DFH c/m eod 06/15/99 [PLM]
06/15/1999	80	ENTRY on plaintiffs' motion to compel discovery and to request assistance of Israeli courts; court will formally request assistance of Israeli courts in obtaining relevant evidence; court GRANTS pltfs' motion to compel defts to produce to pltfs unredacted copies of Medinol documents in defts' possession; defts shall produce documents no later than 06/30/99; in addition, court orders deft Boston Scientific no later than 06/21/99, to request Medinol, in writing to cooperate fully with this litigation by providing non-privileged documents to Boston Scientific. (SEE ENTRY) DFH c/m eod 06/15/99 [PLM]
06/15/1999	81	ENTRY - court APPROVES Request for International Judicial Assistance pursuant to the Hague Convention of March 18, 1970, on the taking of evidence in civil or commercial matters. DFH c/m (DOCUMENT UNDER SEAL) eod 06/15/99 [PLM]
06/24/1999	82	MOTION TO COMPEL PLAINTIFFS TO RESPOND TO DEFENDANTS' INTERROGATORY NOS. 1 AND 2. cs DEFTS. eod 06/25/99 [CEB]
06/24/1999	83	MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL PLAINTIFFS TO RESPOND TO DEFENDANTS' INTERROGATORY NOS. 1 AND 2. (filed under seal). cs DEFTS. eod 06/25/99 [CEB]
06/24/1999	84	APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL PLAINTIFFS TO RESPPOND TO DEFENDANTS' INTERROGATORY NOS. 1 AND 2. (filed under seal). cs DEFTS. eod 06/25/99 [CEB]
06/24/1999	85	STATEMENT OF COMPLIANCE WITH LOCAL RULE 37.1. cs DEFTS. eod 06/25/99 [CEB]
06/30/1999	86	DEFENDANTS' STATEMENT REGARDING INTRODUCTION OF EVIDENCE OF ADVICE OF COUNSEL IN RESPONSE TO PLAINTIFF'S WILLFULNESS CHARGE. cs DEFTS. eod 06/30/99 [CEB]
07/09/1999	87	MEMORANUM OF LAW in opposition to deft. motion to compel additional responses to defts' interrogatory nos. 1 and 2. (UNDER SEAL per 5/12/99 protective order) c/s PLTFS eod 07/12/99 [PLM]
07/09/1999	88	EXHIBIT to pltfs' memorandum of law filed herein. c/s (FILED UNDER SEAL) PLTFS eod 07/12/99 [PLM]
07/13/1999	89	Transcript of 05/27/99 hearing before the Honorable David F. Hamilton. (Ct. Reporter F. Pratt). eod 07/13/99 [CEB]
07/14/1999	90	MOTION for pretrial conference. c/s DEFTS eod 07/14/99 [PLM]
07/15/1999	91	ORDER denies Defendants' Motion to Compel Plaintiffs to Respond to Defendants' Interrogatory Nos. 1 and 2. DFH cm eod 07/15/99 [CEB]
07/15/1999	=	ORDER denies Defendants' Motion for Pretrial Conference. DFH cm. eod 07/15/99 [CEB]
07/15/1999	92	RESPONSE TO DEFENDANTS' MOTION FOR PRE-TRIAL CONFERENCE. (FILED UNDER SEAL). cs PLTFS. eod 07/15/99 [CEB]

07/15/1999	93	APPEARANCE of John R. Schaibley, III, of Baker & Daniels, on behalf of plaintiffs. cs PLTFS. eod 07/15/99 [CEB]
07/20/1999	94	REPLY to pltfs' request for a pretrial conference to discuss the procedure for the Markman hearing. c/s DEFTS eod 07/20/99 [PLM]
07/20/1999	95	NOTICE to court regarding status of discovery of Medinol Ltd. c/s DEFTS eod 07/20/99 [PLM]
07/28/1999	96	ORDER ASSIGNS CONF to 08/05/99 at 03:00PM Room 330 (DFH) c/m eod 07/28/99 [CEB]
07/28/1999	97	MOTION TO COMPEL pltfs to designate a Rule 30(b)(6) witness related to damages. c/s DEFTS eod 07/28/99 [PLM]
07/28/1999	98	MEMORANDUM in support of motion to compel. c/s DEFTS eod 07/28/99 [PLM]
07/28/1999	99	STATEMENT of compliance with Local Rule 37.1. c/s DEFTS eod 07/28/99 [PLM]
07/28/1999	100	APPENDIX of exhibits in support of defts' motion to compel pltfs. c/s DEFTS eod 07/28/99 [PLM]
07/28/1999	101	MOTION for an expedited briefing schedule or, in the alternative, for a pretrial conference on defts' motion to compel pltfs to designate Rule 30(b)(6) witnesses related to damages. c/s DEFTS eod 07/28/99 [PLM]
07/29/1999	102	PRE-MARKMAN HEARING MEMORANDUM ON CLAIM CONSTRUCTION.c/s DEFENDANTS (FILED UNDER SEAL) eod 07/29/99 [PLM]
07/29/1999	103	APPENDIX of exhibits in support of defts' pre-markman hearing memorandum. (Volume I) eod 07/29/99 [PLM]
07/29/1999	104	APPENDIX of exhibits in support of defts' pre-markman hearing memorandum (Volume II) eod 07/29/99 [PLM]
07/29/1999	105	APPENDIX of exhibits in support of defts' pre-markman hearing memorandum (Volume III) c/s DEFENDANTS -- FILED UNDER SEAL eod 07/29/99 [PLM]
07/29/1999	106	DISCLOSURE OF CARDIOLOGIST TESTIMONY. cs PLTFS. eod 07/29/99 [CEB]
07/29/1999	107	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' PROPOSED CONSTRUCTION OF PATENT CLAIMS. cs PLTFS. eod 07/29/99 [CEB]
07/30/1999	108	ENTRY VACATES CONF of 08/05/99 at 3:00PM Room 330 (DFH) c/m eod 07/30/99 [CEB]
07/30/1999	=	ENTRY REASSIGNS CONF to 08/05/99 at 09:00AM Room 330 (DFH) c/m eod 07/30/99 [CEB]
08/02/1999	109	APPEARANCE of Steven C. Shockley of Sommer & Barnard on behalf of non-party Cook Incorporated. eod 08/02/99 [CEB]
08/02/1999	110	MOTION OF NON-PARTY COOK INCORPORATED FOR PROTECTIVE ORDER. eod 08/02/99 [CEB]
08/02/1999	111	CERTIFICATE OF COOK INCORPORATED IN SUPPORT OF MOTION FOR PROTECTIVE ORDER. eod 08/02/99 [CEB]

08/02/1999	112	CERTIFICATE OF SERVICE by Cook Incorporated for Appearance, Motion for Protective Order and Certificate. eod 08/02/99 [CEB]
08/03/1999	113	DEFENDANTS' MOTION FOR LEAVE TO TAKE THIRD PARTY SUBPOENAED DEPOSITIONS AFTER THE CLOSE OF DISCOVERY. cs DEFTS. eod 08/04/99 [CEB]
08/03/1999	114	MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE TO TAKE THIRD PARTY SUBPOENAED DEPOSITIONS AFTER THE CLOSE OF DISCOVERY. cs DEFTS. eod 08/04/99 [CEB]
08/03/1999	115	APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANTS' MOTION FOR AN EXTENSION OF NONPARTY DISCOVERY. cs DEFTS. eod 08/04/99 [CEB]
08/03/1999	116	STATEMENT OF COMPLIANCE WITH LOCAL RULE 37.1. cs DEFTS. eod 08/04/99 [CEB]
08/04/1999	117	STIPULATION AND PROPOSED ORDER EXTENDING TIME TO TAKE DEPOSITION OF MICHAEL BONEAU AND SIMON STERTZER filed by the parties. eod 08/04/99 [CEB]
08/05/1999	118	NOTICE OF WITHDRAWAL OF DEFEWNDANTS' MOTION TO COMPEL PLAINTIFFS TO DESIGNATE A RULE 30(b)(6) WITNESS RELATED TO DAMAGES. cs. DEFTS eod 08/05/99 [CEB]
08/12/1999	119	MEMORANDUM OF LAW IN REPLY to defts' pre-Markman hearing memorandum on claim construction. c/s PLTFS eod 08/13/99 [PLM]
08/12/1999	120	CERTIFICATE OF SERVICE re: pltf's memorandum of law (document #119) eod 08/13/99 [PLM]
08/12/1999	121	SUBMISSION - joint submission regarding format of Markman hearing. eod 08/13/99 [PLM]
08/12/1999	122	MEMORANDUM inn opposition to pltfs' proposed construction of patent claims. c/s DEFTS eod 08/13/99 [PLM]
08/12/1999	123	APPENDIX of exhibits in opposition to pltfs' proposed construction of patent claims. c/s eod 08/13/99 [PLM]
08/16/1999	124	SUBMISSION of defendants' expert disclosure -- Dr. Cumberland. c/s DEFTS eod 08/16/99 [PLM]
08/16/1999	125	SUBMISSION of exhibit E to pltfs' memorandum of law in reply to defts' pre-markmen hearing memorandum on claims construction. c/s PLTFS eod 08/16/99 [PLM]
08/17/1999	126	MOTION PRO HAC VICE to admit Sue Parker and Jeff Glazer of Kenyon & Kenyon as counsel to the defts. c/s DEFTS eod 08/17/99 [PLM]
08/17/1999	127	RECEIPT #36666 $60.00 fee for pro hac vice motions eod 08/17/99 [PLM]
08/17/1999	128	RESPONSE to non-party Cook Incorporated's Motion for a Protective Order. c/s DEFTS eod 08/17/99 [PLM]
08/17/1999	129	MEMORANDUM OF LAW in opposition to defts' motion for leave to take third-party subpoenaed depositions after the close of discovery, and in response to Cook's Motion for a Protective Order. c/s PLTFS eod 08/17/99 [PLM]

08/17/1999	130	ORDER grants Jeff Glazer and Sue Parker of Kenyon & Kenyon leave to appear pro hac vice on behalf of the defendants. DFH c/m eod 08/17/99 [PLM]
08/18/1999	131	ORDER APPROVES Joint Submission Regarding Format of Markman Hearing. DFH cm. eod 08/18/99 [CEB]
08/18/1999	132	APPEARANCE of Robert L. McLaughlin of Wooden & McLaughlin on behalf of the defendants. c/s eod 08/19/99 [PLM]
08/19/1999	133	COURTROOM MINUTES -The parties appeared with their respective representatives and counsel; the Court held a Markman hearing, with each party presenting its evidence and arguments; the Court also addressed, heard argument and made rulings on outstanding discovery motions (see Court's entry on these motions). DFH cm. eod 08/20/99 [CEB]
08/25/1999	134	ENTRY ON PENDING DISCOVERY MATTERS--Grants defendants' motion to take third party depositions after the close of discovery to the extent notices and subpoenas were issued before the close of discovery; grants Cook Incorporated until 09/07/99 to respond to subpoena; authorizes the taking of the depositions of Michael Boneau and Dr. Simon Stertzer, provided they are taken before 09/30/99. DFH cm. eod 08/25/99 [CEB]
08/26/1999	135	STIPULATION REQUESTING MODIFICATION OF CASE MANAGEMENT PLAN. eod 08/26/99 [CEB]
08/27/1999	136	ORDER APPROVES modification of case management plan. DFH c/m eod 08/27/99 [PLM]
08/27/1999	=	ORDER that parties need not identify expert witnesses prior to the exchange of expert reports on 09/24/99. eod 08/27/99 [PLM]
08/27/1999	=	ORDER that expert witness from whom rebuttal expert reports will be submitted shall be identified by 10/15/99. eod 08/27/99 [PLM]
08/27/1999	=	ORDER that rebuttal expert reports shall be exchanged on 10/29/99. DFH c/m eod 08/27/99 [PLM]
08/26/1999	137	JOINT SUBMISSION REQUESTING THAT CERTAIN MATERIALS BE FILED UNDER SEAL. eod 08/27/99 [CEB]
08/27/1999	138	MOTION TO COMPEL discovery relating to inequitable conduct. c/s DEFTS eod 08/27/99 [PLM]
08/27/1999	139	MEMORANDUM in support of defts' motion to compel discovery relating to inequitable conduct. c/s DEFTS (FILED UNDER SEAL pursuant to 5/12/99 protective order) eod 08/27/99 [PLM]
08/27/1999	140	STATEMENT of compliance with Local Rule 37.1 filed in conjunction with defts' motion to compel discovery. c/s DEFTS eod 08/27/99 [PLM]
08/27/1999	141	APPENDIX of exhibits in support of defts' motion to compel discovery (Volume I of II) c/s DEFTS eod 08/27/99 [PLM]
08/27/1999	142	APPENDIX of exhibits in support of defts' motion to compel discovery (Volume II of II). c/s DEFTS (FILED UNDER SEAL pursuant to 5/12/99 protective order) eod 08/27/99 [PLM]
08/27/1999	143	MOTION TO COMPEL responses to interrogatories and document requests. c/s DEFTS eod 08/27/99 [PLM]

08/27/1999	144	MEMORANDUM in support of its motion to compel resonses to interrogatories and document requests. c/s DEFTS (FILED UNDER SEAL) eod 08/27/99 [PLM]
08/27/1999	145	STATEMENT of compliance with Local Rule 37.1. c/s DEFTS eod 08/27/99 [PLM]
08/27/1999	146	APPENDIX of exhibits in support of defts' motion to compel discovery. c/s DEFTS (FILED UNDER SEAL) eod 08/27/99 [PLM]
08/27/1999	147	MOTION TO COMPEL c/s PLTFS eod 08/27/99 [PLM]
08/27/1999	148	MEMORANDUM OF LAW in support of pltfs' motion to compel. c/s PLTFS eod 08/27/99 [PLM]
08/27/1999	149	STATEMENT OF COMPLIANCE WITH LOCAL RULE 37.l c/s PLTFS eod 08/27/99 [PLM]
08/30/1999	150	ORDER grants in part and denies in part parties' joint request that certain materials in the court's files be sealed. (see order for specifics). DFH cm. eod 08/30/99 [CEB]
09/10/1999	151	MOTION for leave to conduct the deposition of Michael Boneau after September 30, 1999. c/s DEFTS eod 09/13/99 [PLM]
09/10/1999	152	MEMORANDUM in support of defts' motion for leave to conduct the deposition of Michael Boneau. c/s DEFTS eod 09/13/99 [PLM]
09/10/1999	153	STATEMENT of compliance with Local Rule 37.l. c/s DEFTS eod 09/13/99 [PLM]
09/10/1999	154	APPENDIX of exhibits in support of defts' motion for leave to conduct the deposition. c/s DEFTS eod 09/13/99 [PLM]
09/13/1999	155	MEMORANDUM OF LAW in opposition to pltfs' motion to compel. c/s DEFTS eod 09/13/99 [PLM]
09/13/1999	156	APPENDIX of exhibits: defts' memorandum of law in opposition to pltfs' motion to compel. c/s DEFTS eod 09/13/99 [PLM]
09/13/1999	157	PLAINTIFFS' POST-MARKMAN HEARING SUBMISSION OF AUTHORITIES. cs. PLTFS. eod 09/13/99 [CEB]
09/13/1999	158	GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND DOCUMENT REQUESTS. cs. PLTFS. eod 09/13/99 [CEB]
09/13/1999	159	APPENDIX OF EXHIBITS TO GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND DOCUMENT REQUESTS. PLTFS. eod 09/13/99 [CEB]
09/13/1999	160	GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. cs PLTFS. eod 09/13/99 [CEB]
09/13/1999	161	APPENDIX OF EXHIBITS TO GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. PLTFS. eod 09/13/99 [CEB]

09/14/1999	162	ORDER grants that defts have leave to depose Michael Boneau after the close of discovery, but no later than 10/5/99. DFH c/m eod 09/14/99 [PLM]
09/14/1999	163	EXHIBIT H TO GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. PLTFS. eod 09/14/99 [CEB]
09/13/1999	164	EXHIBIT K TO GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT.(FILED UNDER SEAL). PLTFS. eod 09/14/99 [CEB]
09/13/1999	165	EXHIBIT L TO GUIDANT/ACS'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. (FILED UNDER SEAL). PLTFS. eod 09/14/99 [CEB]
09/14/1999	166	CERTIFICATE OF SERVICE for Appendices of Exhibits to Guidant/ACS's memoranda of law opposing defendants' motions to compel discovery relating to inequitable conduct and to compel responses to interrogatories and document requests. cs PLTFS. eod 09/14/99 [CEB]
09/22/1999	167	MOTION FOR LEAVE TO CONDUCT DEPOSITIONS AFTER SEPTEMBER 30, 1999. cs. PLTFS. eod 09/23/99 [CEB]
09/22/1999	168	REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF PLAINTIFFS' MOTION TO COMPEL. cs PLTFS. eod 09/23/99 [CEB]
09/22/1999	169	DEFENDANTS' REPLY MEMORANDUM IN SUPPORT OF THEIR MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. (FILED UNDER SEAL). cs DEFTS. eod 09/23/99 [CEB]
09/22/1999	170	DEFENDANTS' SUPPLEMENTAL APPENDIX OF EXHIBITS IN SUPPORT OF THEIR MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. VOLUME I of II. cs DEFTS. eod 09/23/99 [CEB]
09/22/1999	171	DEFENDANTS' SUPPLEMENTAL APPENDIX OF EXHIBITS IN SUPPORT OF THEIR MOTION TO COMPEL DISCOVERY RELATING TO INEQUITABLE CONDUCT. VOLUME II of II. (FILED UNDER SEAL). cs. DEFTS. eod 09/23/99 [CEB]
09/22/1999	172	DEFENDANTS' REPLY IN SUPPORT OT ITS MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND DOCUMENT REQUESTS. cs. DEFTS. eod 09/23/99 [CEB]
09/22/1999	173	APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND DOCUMENT REQUESTS. VOLUME 1. (FILED UNDER SEAL). cs. DEFTS eod 09/23/99 [CEB]
09/22/1999	174	APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND DOCUMENT REQUESTS. VOLUME 2. cs. DEFTS. eod 09/23/99 [CEB]
09/29/1999	175	ORDER that pltfs have leave to take depositions in Israel, and if necessary, in Massachusetts, after 9/30/99, but no later than 10/31/99. DFH c/m eod 09/29/99 [PLM]
09/29/1999	176	MOTION for leave to conduct the deposition of Dr. Simon Stertzer after September 30, 1999.c/s DEFTS eod 09/29/99 [PLM]

09/29/1999	177	MEMORANDUM in support of defts' motion for leave to conduct deposition of Dr. Simon Stertzer after Sept. 30, 1999. c/s DEFTS eod 09/29/99 [PLM]
09/29/1999	178	APPENDIX of exhibits in support of defts' motion for leave to conduct the deposition. c/s DEFTS eod 09/29/99 [PLM]
09/29/1999	179	STATEMENT of compliance with Local Rule 37.1. c/s DEFTS eod 09/29/99 [PLM]
10/01/1999	180	ORDER that defts have leave to depose Dr. Simon Stertzer after 09/30/99, but no later than 10/31/99. DFH c/m eod 10/01/99 [PLM]
10/01/1999	181	MOTION FOR PROTECTIVE ORDER -cs. PLTFS. eod 10/01/99 [CEB]
10/01/1999	182	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION FOR PROTECTIVE ORDER. cs. PLTFS. eod 10/01/99 [CEB]
10/01/1999	183	CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 37.1. cs. PLTFS. eod 10/01/99 [CEB]
10/01/1999	184	ORDER - on emergency consideration of pltfs' motion for a protective order filed 10/1/99, and after conferring with counsel for pltfs, defts and Michael Boneau, court enters the following orders: eod 10/01/99 [PLM]
10/01/1999	=	ORDER that the scheduled deposition of Michael Boneau will not be delayed. eod 10/01/99 [PLM]
10/01/1999	=	ORDER that the defts shall question Boneau first. eod 10/01/99 [PLM]
10/01/1999	=	ORDER that counsel for Boneau/Medtronic AVE do not have a right to question the witness. eod 10/01/99 [PLM]
10/01/1999	=	ORDER that one lawyer may question Boneau for defts and one lawyer may question him for pltfs. One lawyer may speak for Boneau during the deposition. eod 10/01/99 [PLM]
10/01/1999	=	ORDER that all persons attending the deposition are subject to this court's protective order. eod 10/01/99 [PLM]
10/01/1999	=	ORDER that counsel (and consultants) for pltfs and defts are entitled to a reasonable time to inspect original documents, photographs, and things produced at Boneau's deposition before questioning of the witness. DFH c/m eod 10/01/99 [PLM]
10/13/1999	185	MOTION to preclude pltfs from relying on any expert evidence not disclosed in pltfs' expert reports; and eod 10/14/99 [PLM]
10/13/1999	=	MOTION to compel complete disclosure of the supporting documentation; and eod 10/14/99 [PLM]
10/13/1999	=	MOTION for an extension of time to serve rebuttal expert reports. c/s DEFTS eod 10/14/99 [PLM]
10/13/1999	186	STATEMENT OF COMPLIANCE WITH FRCP 37 and Local Rule 37.1. c/s DEFTS eod 10/14/99 [PLM]
10/13/1999	187	REQUEST FOR HEARING. c/s DEFTS eod 10/14/99 [PLM]
10/13/1999	188	MEMORANDUM in support of defts' motions (document #185) c/s DEFTS (FILED UNDER

		SEAL) eod 10/14/99 [PLM]
10/13/1999	189	APPENDIX of exhibits in support of defts' motions - (DOCUMENT #185) THIS DOCUMENT IS FILED UNDER SEAL. c/s DEFTS eod 10/14/99 [PLM]
10/15/1999	190	ENTRY ON CLAIM CONSTRUCTION ISSUES. DFH c/m eod 10/15/99 [PLM]
10/21/1999	191	DEFENDANTS' EMERGENCY MOTION for an entry of an order on their request for an extension of time to serve rebuttal expert reports. c/s DEFTS (FILED UNDER SEAL) eod 10/22/99 [PLM]
10/21/1999	192	STATEMENT OF COMPLIANCE WITH LOCAL RULE 37.1. c/s DEFTS eod 10/22/99 [PLM]
10/22/1999	193	MEMORANDUM OF LAW in opposition to defts' motion 1) to preclude pltfs from relying on expert evidence not disclosed in pltfs' expert reports 2) to compel complete disclosure of the supporting documentation and 3) for an extension of their time to serve rebuttal expert reports. c/s PLTFS eod 10/22/99 [PLM]
10/22/1999	194	EXHIBIT - exhibits to pltfs' memorandum of law (document #193) PLTFS eod 10/22/99 [PLM]
10/25/1999	195	Exhibits as referenced in document # 194. cs. PLTFS. eod 10/25/99 [CEB]
10/26/1999	196	ENTRY ASSIGNS HEARING to 10/28/99 at 03:30PM Room 344 (DFH) c/m eod 10/26/99 [CEB]
10/27/1999	197	PLAINTIFFS' NOTICE OF RESOLUTION OF CERTAIN PENDING DISCOVERY ISSUES-(the video tapes referenced in point II of plaintiffs' 08/27/99 motion to compel). cs. PLTFS. eod 10/27/99 [CEB]
10/28/1999	198	CT REPORTER'S TRANSCRIPT of hearing held on 08/19/99 (1 volume submitted by Court Reporter, Fred Pratt) eod 10/28/99 [PLM]
10/28/1999	199	COURTROOM MINUTES -All parties appeared by counsel; hearing was held and arguments were presented on outstanding discovery motions. Ct. Reporter F. Pratt. DFH. eod 10/29/99 [CEB]
11/02/1999	200	ENTRY Pltfs' motion to compel discovery (08/27/99) is Denied as Moot. Defts' motion to compel is also Denied w/ respect to the invention disclosure statements (S.E.) -cm DFH eod 11/02/99 [PE]
11/02/1999	201	SUBMISSION in response to issue raised at 10/28/99 hearing. cs PLTFS eod 11/02/99 [DLD]
11/03/1999	202	ENTRY ON DISCOVERY DISPUTES RELATED TO DEFENSE OF INEQUITABLE CONDUCT-Defendants' motion relating to inequitable conduct is granted in part and denied in part. DFH. cm. eod 11/03/99 [CEB]
11/04/1999	203	UNOPPOSED MOTION TO PROVIDE FOR SIMULTANEOUS EXCHANGE OF EXPERT REBUTTAL REPORTS AND TO EXTEND THE DEADLINE FOR EXPERT DEPOSITIONS. cs. PLTFS. eod 11/04/99 [CEB]
11/04/1999	204	UNOPPOSED MOTION TO EXTEND THE DEADLINE FOR DISPOSITIVE MOTIONS. cs. DEFTS. eod 11/04/99 [CEB]
11/05/1999	205	ORDER extends until 11/30/99 the time to exchange expert rebuttal reports. DFH. cm. eod 11/05/99 [CEB]

11/05/1999	=	ORDER extends until 12/30/99 the time to complete expert depositions. DFH. cm. eod 11/05/99 [CEB]
11/05/1999	206	ORDER grants defendants' unopposed motion to extend deadline for dispositive motions to 12/15/99; if filed, plaintiffs to respond by 01/05/00 and defendants reply by 01/14/00; however, trial will not be continued if a dispositive motion remains pending 30 days before trial. DFH. cm. eod 11/05/99 [CEB]
11/10/1999	207	CT REPORTER'S TRANSCRIPT of hearing from hearing on 10/28/99. (1 volume) eod 11/10/99 [PLM]
11/19/1999	208	MOTION for additional findings on certain claim construction issues and reconsideration of one issue. c/s DEFTS eod 11/22/99 [PLM]
11/19/1999	209	MEMORANDUM in support of defts' motion for additional findings on certain claim construction issues and reconsideration of one issue. c/s DEFTS eod 11/22/99 [PLM]
12/01/1999	210	SUPPLEMENT TO DEFENDANTS' MEMORANDUM IN SUPPORT OF THEIR MOTION FOR ADDITIONAL FINDINGS ON CERTAIN CLAIM CONSTRUCTION ISSUES AND RECONSIDERATION OF ONE ISSUE. c/s DEFTS. eod 12/01/99 [CEB]
12/03/1999	211	ENTRY ASSIGNS P/T to 01/07/00 at 10:00AM Room 330 (DFH) c/m eod 12/03/99 [CEB]
12/03/1999	212	MOTION FOR S/J (for partial s/j dismissing defts' affirmative defense of inequitable conduct concerning Michael Boneau) c/s PLTFS eod 12/06/99 [PLM]
12/03/1999	213	MEMORANDUM OF LAW in support of pltfs' motion for partial s/j against defts' affirmative defense. c/s (FILED UNDER SEAL) eod 12/06/99 [PLM]
12/03/1999	214	STATEMENT OF MATERIAL FACTS in support of pltfs' motion for partial s/j dismissing defts' affirmative defense. c/s PLTFS (FILED UNDER SEAL) eod 12/06/99 [PLM]
12/06/1999	215	MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION FOR ADDITIONAL FINDINGS ON CERTAIN CLAIM CONSTRUCTION ISSUES AND RECONSIDERATION OF ONE ISSUE. c/s PLTFS. eod 12/07/99 [CEB]
12/09/1999	216	MOTION FOR S/J of noninfringement. c/s DEFENDANTS eod 12/10/99 [PLM]
12/09/1999	217	MEMORANDUM IN SUPPORT of their motion for s/j of noninfringement. (FILED UNDER SEAL) c/s DEFENDANTS eod 12/10/99 [PLM]
12/09/1999	218	STATEMENT OF MATERIAL FACTS in support of defts' motion for s/j of noninfringement. (FILED UNDER SEAL) c/s DEFENDANTS eod 12/10/99 [PLM]
12/09/1999	219	SUBMISSION OF EVIDENCE in support of defts' motion for s/j of noninfringement. c/s (FILED UNDER SEAL) eod 12/10/99 [PLM]
12/09/1999	220	SUBMISSION of proposed findings of fact, conclusions of law, and entry of judgment in support of defts' motion for s/j. c/s DEFTS eod 12/10/99 [PLM]
12/10/1999	221	STATEMENT (CORRECTED) statement of material facts in support of defts' motion for s/j of noninfringement (UNDER SEAL) c/s DEFTS eod 12/10/99 [PLM]

12/14/1999	222	ORDER directs that trial will proceed on 02/22/00, despite the filing of motions for summary judgment. DFH. c/m. eod 12/14/99 [CEB]
12/15/1999	223	REPLY MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION FOR ADDITIONAL FINDINGS ON CERTAIN CLAIM CONSTRUCTION ISSUES AND RECONSIDERATION OF ONE ISSUE. c/s. DEFTS. eod 12/15/99 [CEB]
12/15/1999	224	DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE "PROJECTING EDGES" AND "PROJECTING U-SHAPED MEMBER" CLAIMS. c/s. DEFTS. eod 12/15/99 [CEB]
12/15/1999	225	DEFENDANTS' MEMORANDUM IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE "PROJECTING EDGES" AND "PROJECTING U-SHAPED MEMBER" CLAIMS. (filed under seal). c/s. DEFTS. eod 12/15/99 [CEB]
12/15/1999	226	SUBMISSION OF EVIDENCE IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY. (filed under seal). c/s. DEFTS. eod 12/15/99 [CEB]
12/15/1999	227	STATEMENT OF MATERIAL FACTS IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY. (filed under seal). c/s. DEFTS. eod 12/15/99 [CEB]
12/15/1999	228	PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT OF INFRINGEMENT FOR CLAIMS 11 AND 12 OF U.S. PATENT NO. 5,421,955. c/s. PLTFS. eod 12/15/99 [CEB]
12/15/1999	229	MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT OF INFRINGEMENT FOR CLAIMS 11 AND 12 OF U.S. PATENT NO. 5,421,955. c/s. PLTFS. (placed UNDER SEAL per order of 1/11/00. Sealed also as document #274) eod 12/15/99 edited 01/14/00 [PLM]
12/15/1999	230	STATEMENT OF MATERIAL FACTS SUBMITTED IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT OF INFRINGEMENT FOR CLAIMS 11 AND 12 OF U.S. PATENT NO. 5,421,955. c/s. PLTFS. (placed UNDER SEAL per court order of 1/11/00. Sealed as document #275) eod 12/15/99 edited 01/14/00 [PLM]
12/15/1999	231	PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. c/s. PLTFS. eod 12/15/99 [CEB]
12/15/1999	232	MEMORANDUM OF LAW IN SUPPORT OF GUIDANT/ACS'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. c/s. PLTFS. eod 12/15/99 [CEB]
12/15/1999	233	STATEMENT OF MATERIAL FACTS IN SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT DISMISSING DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. c/s. PLTFS. eod 12/15/99 [CEB]
12/15/1999	234	APPENDIX OF EXHIBITS TO STATEMENT OF MATERIAL FACTS IN SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT DISMISSING DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (VOLUME 1). c/s. PLTFS. eod 12/15/99 [CEB]
12/15/1999	235	APPENDIX OF EXHIBITS TO STATEMENT OF MATERIAL FACTS IN SUPPORT OF

		PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT DISMISSING DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (VOLUME 2). c/s. PLTFS. eod 12/15/99 [CEB]
12/15/1999	236	APPENDIX OF EXHIBITS TO STATEMENT OF MATERIAL FACTS IN SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT DISMISSING DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (VOLUME 3 containing exhibits 14, 15, 16, and 40 - filed under seal). c/s. PLTFS. eod 12/15/99 [CEB]
12/17/1999	237	BOSTON SCIENTIFIC CORPORATION AND SCIMED LIFE SYSTEMS, INC.'S TENDER OF AUTHORITY (on issue of invalidity of "projecting edges" and "projecting U-shaped member" claims. c/s. DEFTS. eod 12/17/99 [CEB]
12/17/1999	238	AMENDED STATEMENT OF MATERIAL FACTS IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY. c/s. DEFTS. eod 12/17/99 [CEB]
12/20/1999	239	DEFENDANTS' NOTICE TO THE COURT THAT THE ISSUE RAISED BY PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING INVENTORSHIP BY MICHAEL BONEAU IS MOOT. c/s. DEFTS. eod 12/20/99 [CEB]
12/20/1999	240	APPENDIX OF EXHIBITS (VOLUME I OF II) for DEFENDANTS' NOTICE TO THE COURT THAT PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING INVENTORSHIP BY MICHAEL BONEAU IS MOOT. c/s. DEFTS. eod 12/20/99 [CEB]
12/20/1999	241	APPENDIX OF EXHIBITS (VOLUME II of II) for DEFENDANTS' NOTICE TO THE COURT THAT PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING INVENTORSHIP BY MICHAEL BONEAU IS MOOT. (filed under seal) c/s. DEFTS. eod 12/20/99 [CEB]
12/29/1999	242	REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT CONCERNING MICHAEL BONEAU. c/s. PLTFS. eod 12/29/99 [CEB]
01/05/2000	243	MEMORANDUM IN OPPOSITION to pltfs' motion for s/j of infringement of claims 11 and 12 of U.S. Patent No. 5,421,955. c/s DEFTS (FILED UNDER SEAL) eod 01/05/00 [PLM]
01/05/2000	244	RESPONSE to statement of material facts submitted in support of pltfs' motion for s/j of infringement for Claims 11 and 12 of U.S. Patent No. 5,421,955. c/s DEFTS (FILED UNDER SEAL) eod 01/05/00 [PLM]
01/05/2000	245	STATEMENT of additional material facts in opposition to pltfs' motion for s/j of infringement of claims 11 and 12 of U.S. Patent No.5,421,,955. c/s DEFTS (FILED UNDER SEAL) eod 01/05/00 [PLM]
01/05/2000	246	SUBMISSION of evidence in support of defts' memorandum in opposition to pltfs' motion for s/j of infringement of claims 11 and 12 of U.S. Pataent No. 5,421,955. c/s DEFTS (FILED UNDER SEAL) eod 01/05/00 [PLM]
01/05/2000	247	RESPONSE TO STATEMENT OF MATERIAL FACTS IN CONNECTION WITH PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (FILED UNDER SEAL). c/s. DEFTS. eod 01/06/00 [CEB]

01/05/2000	248	STATEMENT OF ADDITIONAL FACTS IN OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (FILED UNDER SEAL). DEFTS. eod 01/06/00 [CEB]
01/05/2000	249	MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (FILED UNDER SEAL). c/s. DEFTS. eod 01/06/00 [CEB]
01/05/2000	250	APPENDIX OF EXHIBITS TO STATEMENT OF ADDITIONAL MATERIAL FACTS IN OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (EHHIBITS 1-17). c/s. DEFTS. eod 01/06/00 [CEB]
01/05/2000	251	APPENDIX OF EXHIBITS TO STATEMENT OF ADDITIONAL MATERIAL FACTS IN OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS' AFFIRMATIVE DEFENSE OF INEQUITABLE CONDUCT IN OBTAINING THE PATENTS IN SUIT. (EXHIBITS 18-29). (FILED UNDER SEAL). c/s. DEFTS. eod 01/06/00 [CEB]
01/05/2000	252	MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF THE "PROJECTING EDGES" AND "PROJECTING U-SHAPED MEMBER" CLAIMS. (FILED UNDER SEAL). c/s. PLTFS. eod 01/06/00 [CEB]
01/05/2000	253	RESPONSE to statement of material facts and statement of additional material facts in opposition to defts' motion for s/j of invalidity. c/s PLTFS (FILED UNDER SEAL) eod 01/06/00 [PLM]
01/05/2000	254	EXHIBIT in support of pltfs' response to statement of material facts and statement of additional material facts in opposition to defts' motion for s/j of invalidity. PLTFS eod 01/06/00 [PLM]
01/05/2000	255	MEMORANDUM OF LAW in opposition to defts' motion for s/j of noninfringement.c/s PLTFS (FILED UNDER SEAL) eod 01/06/00 [PLM]
01/05/2000	256	RESPONSE to statement of material facts in statement of additional material facts in opposition to defts' motion for s/j of noninfringement. c/s PLTFS (FILED UNDER SEAL) eod 01/06/00 [PLM]
01/05/2000	257	EXHIBIT - EXHIBITS to pltfs' response to statement of material facts and statement of additional material facts in opposition to defts' motion for s/j of noninfringement. PLTFS (FILED UNDER SEAL) eod 01/06/00 [PLM]
01/05/2000	258	EXHIBIT - EXHIBITS in support of pltfs' response to statement of material facts and statement of additional material facts in opposition to defts' motion for s/j of noninfringement. PLTFS eod 01/06/00 [PLM]
01/06/2000	259	CERTIFICATE OF SERVICE for Docket No. 248. c/s. DEFTS. eod 01/06/00 [CEB]
01/06/2000	260	MOTION to substitute sealed documents. c/s PLTFS (DOCUMENTS SUBMITTED AS EXHIBITS 1 through 4) eod 01/06/00 [PLM]
01/07/2000	261	MOTION PRO HAC VICE by Paul Heller of Kenyon & Kenyon for the defts. c/s eod 01/07/00 [PLM]
01/07/2000	262	RECEIPT #38395 $30.00 filing fee paid eod 01/07/00 [PLM]

01/07/2000	263	ORDER admitting Paul Heller as pro hac vice counsel. DFH c/m eod 01/07/00 [PLM]
01/07/2000	264	MOTION to substitute copies of exhibits 18,19 and 27 (attached to exhibits in support of pltfs' response to statement of material facts filed 1/5/00) c/s PLTFS eod 01/10/00 [PLM]
01/07/2000	265	NOTICE of submission of amended exhibits in support of pltfs' response to statement of material facts. c/s PLTFS eod 01/10/00 [PLM]
01/07/2000	266	EXHIBIT - AMENDED EXHIBITS in support of pltfs' response to statement of maaterial facts and statement of additional material facts in opposition to defts' motion for s/j of invalidity. PLTFS eod 01/10/00 [PLM]
01/11/2000	267	ORDER granting motion to substitute sealed documents. DFH c/m eod 01/11/00 [PLM]
01/11/2000	268	MOTION PRO HAC VICE admitting Mark Supko of Kenyon & Kenyon for defendants. c/s eod 01/12/00 [PLM]
01/11/2000	269	RECEIPT #38449 $30.00 pro hac vice filing fee. eod 01/12/00 [PLM]
01/12/2000	270	ORDER grants Mark Supko leave to appear pro hac vice for the defts. DFH c/m eod 01/12/00 [PLM]
01/12/2000	271	AMENDED RESPONSE to statement of material facts in connection with pltfs' motion for partial s/j against defts' affirmative defense of inequitable conduct in obtaining the patents in suit.c/s DEFTS (FILED UNDER SEAL) eod 01/12/00 [PLM]
01/12/2000	272	STATEMENT - AMENDED of additional material facts in opposition to pltfs' motion for partial s/j against defts' affirmative defense of inequitable conduct in obtaining the patents in suit C/S DEFTS (FILED UNDER SEAL) eod 01/12/00 [PLM]
01/11/2000	273	ORDER grants plaintiff's motion to substitute color copies for black and white copies of Exhibits 18, 19, and 27 of the Exhibits in Support of Plaintiffs' Response to Statement of Material Facts and Statement of Additional Material Facts in Opposition to Defendants' Motion for Summary Judgment of Invalidity. c/s. PLTFS. eod 01/14/00 [CEB]
01/14/2000	274	MEMORANDUM OF LAW IN SUPPORT OF PLTFS' MOTION FOR S/J OF INFRINGEMENT OF CLAIMS 11 and 12 OF U.S. PATENT NO. 5,421,995. c/s PLTFS (FILED UNDER SEAL PURSUANT TO COURT ORDER OF 1/11/00 - document #267. Document #229 also place in this sealed envelope) eod 01/14/00 [PLM]
01/14/2000	275	STATEMENT OF MATERIAL FACTS SUBMITTED IN SUPPORT OF PLTFS' MOTION FOR S/J OF INFRINGEMENT FOR CLAIMS 11 and 12 of U.S. Patent No. 5,421,955. c/s PLTFS (FILED UNDER SEAL per order of 1/11/00. Document #230 also placed in this sealed envelope) eod 01/14/00 [PLM]
01/14/2000	276	EXHIBIT - AMENDED EXHIBITS to the statement of material facts submitted in support of pltfs' motion for s/j of infringement for claims 11 and 12 of U.S. Patent No. 5,421,955. (FILED UNDER SEAL, per court order of 1/11/00) eod 01/14/00 [PLM]
01/14/2000	277	EXHIBIT - amended exhibits to the statement of material facts submitted in support of pltfs' motion for s/j of infringement for claims 11 and 12 of U.S. Patent No. 5,421,955. (exhibits 1,2,3 and 8 for public view and exhibits 4 through 7 and 9 through 25 are under seal per order of 1/11/00) PLTFS eod 01/14/00 [PLM]

01/14/2000	278	REPLY to defts' amended statement of additional material facst in further support of pltfs' motion for partial s/j dismissing defts' affirmative defense of inequitable conduct in obtaining the patents in suite. c/s PLTFS(FILED UNDER SEAL) eod 01/14/00 [PLM]
01/14/2000	279	REPLY MEMORANDUM in further support of pltfs' motion for s/j dismissing defts' affirmative defense of inequitable conduct in obtaining the patents in suit. c/s PLTFS (FILED UNDER SEAL) eod 01/14/00 [PLM]
01/14/2000	280	EXHIBIT in support of reply memorandum of law in further support of pltfs' motion for partial s/j dismissing defts' affirmative defense of inequitble conduct in obtaining the patents in suite. c/s PLTFS (FILED UNDER SEAL) eod 01/14/00 [PLM]
01/14/2000	281	REPLY MEMORANDUM in further support of pltfs' motion for s/j of infringement for claims 11 and 12 of U.S. Patent No. 5,521,955. c/s PLTFS (FILED UNDER SEAL) eod 01/14/00 [PLM]
01/14/2000	282	REPLY to defts' additional material facts in further support of pltfs' motion for s/j of infringement for claims 11 and 12 of U.S. Patent No. 5,421,955. c/s PLTFS(FILED UNDER SEAL) eod 01/14/00 [PLM]
01/14/2000	283	EXHIBIT - EXHIBITS (1,2 & 3) in support of reply memorandum in further support of pltfs' motion for s/j of infringement for claims 11 and 12 of U.S. Patent No. 5,421,955. c/s PLTFS (FILED UNDER SEAL) eod 01/14/00 [PLM]
01/14/2000	284	EXHIBIT - EXHIBITS in support of reply memorandum in further support of pltfs' motion for s/j of infringement for claims 11 and 12 of U.S. Patent No. 5,421,955. c/s PLTFS (exhibits 4,5,6,7 & 8, not under seal) eod 01/14/00 [PLM]
01/14/2000	285	EXHIBIT - exhibits in support of reply memo of law in further support of pltfs' motion for partial s/j dismissing defts' affirmative defense of inequitable conduct in obtaining the patents in suit. c/s PLTFS (not under seal) eod 01/14/00 [PLM]
01/14/2000	286	DEFENDANTS' REPLY MEMORANDUM IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT. c/s. DEFTS.(FILED UNDER SEAL). eod 01/14/00 [CEB]
01/14/2000	287	DEFENDANTS' REPLY TO PLAINTIFFS' RESPONSE TO STATEMENT OF MATERIAL FACTS AND STATEMENT OF ADDITIONAL MATERIAL FACTS--SUBMITTED IN FURTHER SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT. c/s. DEFTS.(FILED UNDER SEAL). eod 01/14/00 [CEB]
01/14/2000	288	SUPPLEMENTAL SUBMISSION OF EVIDENCE IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT. c/s DEFTS. (FILED UNDER SEAL). eod 01/14/00 [CEB]
01/14/2000	289	SUBMISSION OF EVIDENCE IN SUPPORT OF DEFENDANTS' REPLY MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY. c/s. DEFTS. (FILED UNDER SEAL). eod 01/14/00 [CEB]
01/14/2000	290	DEFENDANTS' REPLY TO PLAINTIFFS' RESPONSE TO STATEMENT OF MATERIAL FACTS AND STATEMENT OF ADDITIONAL MATERIAL FACTS--SUBMITTED IN FURTHER SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY. c/s. DEFTS (FILED UNDER SEAL). eod 01/14/00 [CEB]
01/14/2000	291	REPLY MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY

		JUDGMENT OF INVALIDITY OF THE "PROJECTING EDGES" AND "PROJECTING U-SHAPED MEMBER" CLAIMS. c/s. DEFTS. (FILED UNDER SEAL). eod 01/14/00 [CEB]
01/21/2000	292	AGREED ENTRY for enlargement of time until 01/25/00 for parties to file Fed.R.Civ.P.26(a)(3) disclosures, including designation of deposition excerpts and suggested written stipulations of fact. eod 01/21/00 [CEB]
01/24/2000	293	ORDER approves Agreed Entry filed on 1/21/00. DFH c/m eod 01/24/00 [PLM]
01/25/2000	294	AGREED ENTRY for additional one-day enlargement of case management plan deadlines. eod 01/25/00 [PLM]
01/26/2000	295	ENTRY approves one-day enlargement of time for case management plan deadlines. DFH c/m eod 01/26/00 [PLM]
01/26/2000	296	STIPULATION - proposed stipulations of fact. c/s DEFT eod 01/26/00 [PLM]
01/26/2000	297	DESIGNATION of deposition testimony that may be offered at trial. c/s DEFTS eod 01/26/00 [PLM]
01/26/2000	298	TRIAL WITNESS LIST. c/s DEFT eod 01/26/00 [PLM]
01/26/2000	299	PRELIMINARY TRIAL EXHIBIT LIST. c/s DEFTS. (Unsealed pursuant to Court Order of 01/28/00). eod 01/26/00 edited 01/28/00 [CEB]
01/26/2000	300	STIPULATION - suggested written stipulations of fact. c/s PLTFS eod 01/27/00 [PLM]
01/26/2000	301	SUBMISSION of pltfs' Rule 26(a)(3) disclosures. c/s PLTFS eod 01/27/00 [PLM]
01/28/2000	302	ENTRY (Marginal Notation) removes Defendants' Preliminary Trial Exhibit List (Document #299) from under seal. DFH. c/m. eod 01/28/00 [CEB]
01/31/2000	303	MOTION IN LIMINE to preclude the testimony of Matthew Miller, Rose Clack and Kevin Ballinger, or alternatively, to permit pltfs to call as witnesses persons who assisted pltfs' experts. c/s PLTFS eod 02/01/00 [PLM]
01/31/2000	304	MOTION IN LIMINE to exclude evidence relating to the Medinal patents. c/s PLTFS eod 02/01/00 [PLM]
01/31/2000	305	MOTION for a separate trial of inequitable conduct outside the presence of the jury, and to limit defts' expert testimony on patent law to factual issues of patent office procedure. c/s PLTFS eod 02/01/00 [PLM]
01/31/2000	306	MOTION IN LIMINE to preclude improper evidence of invalidity. c/s PLTFS eod 02/01/00 [PLM]
01/31/2000	307	MOTION IN LIMINE to preclude improper "product to product" and "manufacturing process" comparisons. c/s PLTFS eod 02/01/00 [PLM]
01/31/2000	308	MOTION IN LIMINE to exclude evidence of: other coronary stent patent infringement litigation; defts' experts reliance thereon; an FDA "Warning" letter; NIR stents sold outside the United States; and evidence relating to the origin of the "NIR" name. c/s PLTFS eod 02/01/00 [PLM]

01/31/2000	309	MOTION IN LIMINE to exclude evidence relating to the commercially available Palmaz-Schatz stent. c/s PLTFS eod 02/01/00 [PLM]
01/31/2000	310	MOTION IN LIMINE to preclude argument that Medinol, Ltd. resisted or failed to comply with discovery. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	311	MOTION IN LIMINE to preclude pltfs from calling Ginger Graham as a trial witness, or, in the alternative, to compel the deposition of Ms. Graham. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	312	MOTION IN LIMINE to preclude pltfs from referring to the "presumption of validity" in the presence of the jury. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	313	MOTION IN LIMINE to preclude reference to contingent opinions in defts' initial expert reports and to preclude reference to the discussion (as opposed to the holding) in the court's claim construction opinion. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	314	MOTION IN LIMINE to preclude pltfs from introducing evidence at trial relating to defts' voluntary recall of the NIR on Ranger with SOX Product. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	315	MOTION IN LIMINE to preclude pltfs from alleging that defts derived their design for the NIR from the design disclosed in the patents in suit. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	316	MOTION IN LIMINE to preclude pltfs from asserting that data from the ASCENT clinical trial indicates that the multi-link stent is clinically superior. c/s DEFTS (FILED UNDER SEAL) eod 02/01/00 [PLM]
01/31/2000	317	MOTION IN LIMINE to preclude reference to the Goldwasser suit. c/s DEFTS (FILED UNDER SEAL) eod 02/01/00 [PLM]
01/31/2000	318	MOTION IN LIMINE to preclude certain testimony by pltfs' patent law expert. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	319	MEMORANDUM in support of defts' motion in limine to preclude certain testimony by pltfs' patent law expert. c/s (FILED UNDER SEAL) eod 02/01/00 [PLM]
01/31/2000	320	MOTION IN LIMINE relating to damages issues. c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	321	MEMORANUM in support of defts' Motion in Limine relating to damages issues. c/s DEFTS (FILED UNDER SEAL) eod 02/01/00 [PLM]
01/31/2000	322	APPENDIX of exhibits in support of defts' motion in limine relating to damages issues (Volume 1 of 3) c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	323	APPENDIX of exhibits in support of defts' motion in limine relating to damages issues (Volume 2 of 3) c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	324	APPENDIX of exhibits in support of defts' motion in limine relating to damages issues (Volume 3 of 3) c/s DEFTS eod 02/01/00 [PLM]
01/31/2000	325	JOINT MOTION to extend case management deadlines for filing on agreed upon facts. c/s eod 02/01/00 [PLM]
02/01/2000	326	MOTION for a two part, unified trial. c/s DEFTS (FILED UNDER SEAL) eod 02/01/00 [PLM]

02/01/2000	327	MEMORANDUM in support of their motion for a two part, unified trial. c/s DEFTS (FILED UNDER SEAL) eod 02/01/00 [PLM]
02/01/2000	328	APPENDIX OF EXHIBITS in support of defts' motion for a two part, unified trial. c/s DEFTS (FILED UNDER SEAL) eod 02/01/00 [PLM]
02/02/2000	329	ORDER grants parties until 02/09/00 to file stipulations of fact. DFH. c/m. eod 02/02/00 [CEB]
02/02/2000	330	ENTRY (Marginal Notation) removes Defendants' Motion for a Two Part, Unified Trial (Document #326) from under seal. DFH. c/m. eod 02/02/00 [CEB]
02/02/2000	331	ENTRY (Marginal Notation) removes Defendants' Memorandum in Support of Their Motion for a Two Part, Unified Trial (Document #327) from under seal. DFH. c/m. eod 02/02/00 [CEB]
02/03/2000	332	MOTION for leave to file an additional Motion in Limine to preclude certain testimony of Gregory Bell. c/s PLTFS eod 02/03/00 [PLM]
02/04/2000	334	OBJECTION to pltfs' motion for leave to file untimely motion in limine. c/s DEFTS eod 02/04/00 [PLM]
02/07/2000	335	DEFENDANTS' WITHDRAWAL OF OBJECTION TO MOTION FOR LEAVE TO FILE UNTIMELY MOTION IN LIMINE. c/s. DEFTS. eod 02/07/00 [CEB]
02/07/2000	336	AGREED ENTRY FOR ENLARGEMENTS OF TIME FOR CERTAIN JOINT CASE MANAGEMENT PLAN DEADLINES filed by the parties. eod 02/07/00 [CEB]
02/08/2000	337	ORDER grants plaintiffs' Motion for Leave to File an Additional Motion in Limine to Preclude Certain Testimony of Gregory Bell. DFH. c/m. eod 02/08/00 [CEB]
02/08/2000	338	MOTION IN LIMINE TO PRECLUDE CERTAIN TESTIMONY OF GREGORY BELL. c/s. PLTFS. eod 02/08/00 [CEB]
02/08/2000	339	ORDER approves Agreed Entry for Enlargements of Time for Certain Joint Case management Plan Deadlines. DFH. c/m. eod 02/08/00 [CEB]
02/08/2000	=	ORDER directs parties to negotiate their proposed jury instructions. DFH. c/m. eod 02/08/00 [CEB]
02/08/2000	=	ORDER directs each side to identify no later than 02/09/00 the three motions in limine it considers most important. DFH. c/m. eod 02/08/00 [CEB]
02/08/2000	340	DEFENDANTS' NOTICE TO COURT REGARDING FILING OF PROPOSED JURY INSTRUCTIONS. c/s. DEFTS. eod 02/08/00 [CEB]
02/08/2000	341	DEFENDANTS' PRELIMINARY JURY INSTRUCTIONS. c/s. DEFTS. eod 02/08/00 [CEB]
02/08/2000	342	DEFENDANTS' JURY INSTRUCTIONS. c/s. DEFTS. eod 02/08/00 [CEB]
02/08/2000	343	DEFENDANTS' PROPOSED VOIR DIRE QUESTIONS. c/s. DEFTS. eod 02/08/00 [CEB]
02/08/2000	344	DEFENDANTS' MOTION FOR LEAVE TO INCORPORATE BY INTERLINEATION CORRECTIONS TO DEPOSITION DESIGNATIONS. c/s. DEFTS. eod 02/08/00 [CEB]

02/08/2000	345	OPPOSITION TO DEFENDANTS' MOTION FOR A TWO PART, UNIFIED TRIAL. c/s. PLTFS. eod 02/08/00 [CEB]
02/08/2000	346	PLAINTIFFS' PROPOSED SPECIAL VERDICT FORM. c/s. PLTFS. eod 02/08/00 [CEB]
02/08/2000	347	PLAINTIFFS' PROPOSED JURY INSTRUCTIONS. c/s. PLTFS. eod 02/08/00 [CEB]
02/08/2000	348	PLAINTIFFS' IDENTIFICATION OF MOST IMPORTANT MOTIONS IN LIMINE. c/s. PLTFS. eod 02/08/00 [CEB]
02/09/2000	349	ENTRY on defendants' motion for summary judgment on noninfringement. Defendants' motion is GRANTED IN PART AND DENIED IN PART. DFH c/m eod 02/09/00 [PLM]
02/09/2000	350	ENTRY on defendants' motion for supplemental claim constructions. Motion is DENIED. DFH c/m eod 02/09/00 [PLM]
02/09/2000	351	ENTRY on plaintiffs' motion for partial summary judgment on defendants' affirmative defense of inequitable conduct in obtaining the patents in suit. Motion is DENIED. DFH c/m eod 02/09/00 [PLM]
02/09/2000	352	ENTRY on plaintiff's motion for summary judgment of infringement for claims 11 and 12 of U.s. Patent No. 5,411,955. Plaintiffs' motion is denied. DFH c/m eod 02/09/00 [PLM]
02/09/2000	353	ORDER - by separate entries today the court has decided all but one of the pending motions for summary judgment. In the course of the final preterial conference scheduled for Friday, February 11, 2000, the court will hear oral argument on defts' motion for s/j on invalidity of the "projecting edges" and "projecting U-shaped members" claims, as well as on any contested motions in limine. DFH c/m eod 02/09/00 [PLM]
02/09/2000	=	ORDER ASSIGNS HEARING to 02/11/00 at 09:30AM Room 344 (DFH) c/m for hearing on pending motion for summary judgment as well as any contested motions in limine. eod 02/09/00 [PLM]
02/09/2000	354	DEFENDANTS' IDENTIFICATION OF MOST IMPORTANT MOTIONS IN LIMINE. c/s. DEFTS. eod 02/09/00 [CEB]
02/09/2000	355	OPPOSITION to pltfs' motion for a separate trial of inequitable conduct outside the presence of the jury and to limit defts'expert testimony on patent law to factual issues of patent office procedure c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	356	MEMORANDUM in opposition to pltfs' motion in limine to preclude the testimony of Matthew Miller, Rose Clack and Kevin Ballinger,or alternatively, to permit pltfs to call as witnesses persons who assisted pltfs' experts. c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	357	OBJECTION to pltfs' deposition designations and defts' counter-designations. c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	358	OPPOSITION to pltfs' motion in limine to preclude improper evidence of invalidity. c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	359	MEMORANDUM in opposition to pltfs' motion in limine to exclude evidence relating to the commercially available Palmaz-Schatz stent. c/s (FILED UNDER SEAL) DEFTS eod 02/09/00 [PLM]

02/09/2000	360	APPENDIX of exhibits (Volume 1: Exhibits 1 - 11) re: defts' memorandum in opposition to pltfs' motion in limine to exclude evidence relating to the commercially available Palmaz-Schatz stent. c/s eod 02/09/00 [PLM]
02/09/2000	361	APPENDIX (Volume 1: Exhibits 12 - 16) re: defts' memorandum in opposition to pltfs' motion in limine to exclude evidence relating to the commercially available Palmaz-Schatz stent.c/s DEFTS (FILED UNDER SEAL) eod 02/09/00 [PLM]
02/09/2000	362	OBJECTION to pltfs' exhibit list. c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	363	MEMORANDUM in opposition to pltfs' motion in limine to exclude evidence relating to the Medinol patents. c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	364	OPPOSITION to pltfs' motion in limine to preclude "product to product" and "manufacturing process" comparisons. c/s DEFTS eod 02/09/00 [PLM]
02/09/2000	365	STIPULATIONS OF FACT. eod 02/09/00 [CEB]
02/09/2000	366	PLAINTIFFS' OBJECTIONS AND COUNTERDESIGNATIONS TO DEFENDANTS' RULE 26 (a)(3) DISCLOSURES. c/s. PLTFS. eod 02/09/00 [CEB]
02/10/2000	367	MOTION FOR LEAVE TO FILE THEIR MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT OF ALL ASSERTED CLAIMS AND DISMISSAL OF THIS ACTION. c/s. DEFTS. eod 02/10/00 [CEB]
02/10/2000	368	DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OF: OTHER CORONARY STENT PATENT INFRINGEMENT LITIGATION; DEFENDANTS' EXPERT'S RELIANCE THEREON; AN FDA "WARNING" LETTER; NIR STENTS SOLD OUTSIDE THE UNITED STATES; AND EVIDENCE RELATING TO THE ORIGIN OF THE "NIR" NAME. c/s. DEFTS. eod 02/10/00 [CEB]
02/10/2000	369	DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION IN LIMINE TO PRECLUDE CERTAIN TESTIMONY OF GREGORY BELL. c/s. DEFTS. eod 02/10/00 [CEB]
02/10/2000	370	ORDER GRANTS leave to file defts' motion for s/j of noninfringement of all asserted claims and dismissal of this action. DFH c/m eod 02/10/00 [PLM]
02/10/2000	371	MOTION FOR S/J of noninfringement of all asserted claims and dismissal of this action. c/s DEFTS eod 02/10/00 [PLM]
02/10/2000	372	MEMORANDUM in support of their motion for s/j of noninfringement of all asserted claims and dismissal of this action. c/s DEFTS eod 02/10/00 [PLM]
02/10/2000	373	STATEMENT of material facts in support of their motion for s/j of noninfringement of all asserted claims and dismissal of this action. c/s DEFTS eod 02/10/00 [PLM]
02/10/2000	374	REPLY TO PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR A TWO PART, UNIFIED TRIAL. c/s. DEFTS. eod 02/10/00 [CEB]
02/10/2000	375	DEFENDANTS' SUBMISSION OF CHART OF ASSERTED CLAIMS. c/s. DEFTS. eod 02/10/00 [CEB]
02/10/2000	376	JOINT MOTION FOR LEAVE TO FILE JOINT SUBMISSION OF PROPOSED JUROR

		QUESTIONNAIRE. eod 02/10/00 [CEB]
02/11/2000	377	MEMORANDUM in opposition to pltfs' motion for reconsideration on claim construction and summary judgment rulings. c/s DEFTS eod 02/11/00 [PLM]
02/10/2000	378	MOTION FOR RECONSIDERATION AND ORAL ARGUMENT ON CLAIM CONSTRUCTION AND SUMMARY JUDGMENT RULINGS. c/s. PLTFS. eod 02/11/00 [CEB]
02/11/2000	379	MOTION FOR RECONSIDERATION AND ORAL ARGUMENT ON CLAIM CONSTRUCTION AND SUMMARY JUDGMENT RULINGS (Revised). c/s. PLTFS. eod 02/11/00 [CEB]
02/11/2000	380	COURTROOM MINUTES - parties appeared by counsel; arguments were pesented on Plaintiffs' Motion for Reconsideration and Oral Argument on Claim Construction and Sumary Judgment Rulings and on Defendants' Motion for Summary Judgment of Noninfringement of All Asserted Claims nd Dismissal of This Action. Ct. Reporter F. Pratt. DFH. eod 02/11/00 [CEB]
02/11/2000	381	MOTION FOR RECONSIDERATION and Oral Argument on claim construction and summary judgment rulings. c/s PLTFS (documents #378 and #379 are faxed documents of the same) eod 02/11/00 [PLM]
02/11/2000	382	OPPOSITION to defts' motion in limine to preclude pltfs from referring to the "presumption of validity" in the presence of the jury. c/s PLTFS eod 02/11/00 [PLM]
02/11/2000	383	MEMORANDUM OF LAW in opposition to defts' motion in limine to preclude certain testimony by pltfs' patent law expert. c/s PLTFS eod 02/11/00 [PLM]
02/11/2000	384	OPPOSITION to defts' motion in limine to preclude argument that Medinol, Ltd. resisted or failed to comply with discovery. c/s PLTFS eod 02/11/00 [PLM]
02/11/2000	385	RESPONSE to defts' motion to preclude reference to the Goldwasser suit. (FILED UNDER SEAL) c/s PLTFS eod 02/11/00 [PLM]
02/11/2000	386	OPPOSITION to defts' motion in limine to preclude pltfs from alleging that defts derived their design for the NIR from the design disclosed in the patents in suit. c/s PLTFS (FILED UNDER SEAL) eod 02/11/00 [PLM]
02/11/2000	387	OPPOSITION to defts' motion in limine to preclude pltfs from introducing evidence at trial relating to defts' voluntary recall of the NIR on Ranger with Sox product. c/s PLTFS (FILED UNDER SEAL) eod 02/11/00 [PLM]
02/11/2000	388	RESPONSE to defts' motion in limine to preclude pltfs from asserting that data from the Ascent Clinical trial indicates that the Multi-Link Stent is clinically superior. c/s PLTFS eod 02/11/00 [PLM]
02/11/2000	389	OPPOSITION to defts' motion in limine relating to damages issued. c/s PLTFS eod 02/11/00 [PLM]
02/15/2000	390	ORDER VACATES JURY TRIAL of 02/22/00 at 09:00AM Room 344 (DFH) c/m eod 02/15/00 [CEB]
02/15/2000	=	ORDER grants plaintiffs until 02/25/00 to file further response to defendants' motion for summary judgment as well as to any issues raised in plaintiffs' motion to reconsider certain aspects of the court's decisions of 02/09/00; defendants granted until 03/10/00 to reply. DFH. c/m. eod 02/15/00 [CEB]

02/17/2000	391	TRANSCRIPT OF 02/11/00 HEARING. DFH. Ct. Reporter F. Pratt. eod 02/17/00 [CEB]
02/25/2000	392	MOTION TO EXCEED PAGE LIMIT. c/s PLTFS eod 02/28/00 [PLM]
02/28/2000	393	ORDER GRANTING motion to exceed page limit. DFH c/m eod 02/28/00 [PLM]
02/28/2000	394	MEMORANDUM OF LAW in support of pltfs' motion for reconsideration of claim construction and s/j rulings and in opposition to defts' motion to dismiss. c/s PLTFS eod 02/28/00 [PLM]
02/25/2000	395	APPENDIX OF EXHIBITS TO MOTION FOR RECONSIDERATION OF CLAIM CONSTRUCTION AND SUMMARY JUDGMENT RULINGS AND IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS. PLTFS. eod 02/28/00 [CEB]
02/28/2000	396	Certificate of Service for Document # 395. PLTFS eod 02/28/00 [CEB]
03/10/2000	397	MOTION for an opportunity to be heard after this court decides the motion for reconsideration of claim construction and summary judgment rulings. c/s PLTFS eod 03/10/00 [PLM]
03/10/2000	398	MOTION to exceed page limit. c/s DEFTS eod 03/13/00 [PLM]
03/13/2000	399	ORDER GRANTS motion to exceed page limit. DFH c/m eod 03/13/00 [PLM]
03/13/2000	400	REPLY MEMORANDUM in support of their motion for s/j of noninfringement of all asserted claims and dismissal of this action and in opposition to pltfs' motion for reconsideration. c/s DEFTS eod 03/13/00 [PLM]
03/13/2000	401	APPENDIX of exhibits in support of defts' reply memorandum in support of their motion for s/j of noninfringement of all asserted claims and dismissal of this action and in opposition to pltfs' motion for reconsideration. c/s DEFTS eod 03/13/00 [PLM]
03/17/2000	402	ORDER on plaintiffs' motion for further opportunity to be heard after further rulings. Court DENIES pltf's motion for further opportunity to be heard. DFH c/m eod 03/17/00 [PLM]
03/17/2000	403	MOTION FOR LEAVE TO FILE SUPPLEMENTAL MEMORANDUM IN FURTHER SUPPORT OF PLAINTIFFS' MOTION FOR RECONSIDERATION AND FURTHER OPPOSITION TO DEFENDANTS' MOTION TO DISMISS. c/s PLTFS eod 03/17/00 [CEB]
03/22/2000	404	OPPOSITION to pltfs' motion for leave to file supplemental memorandum (filed March 17, 2000) c/s DEFTS eod 03/22/00 [PLM]
05/18/2000	405	MOTION to withdraw defts' motion for summary judgment of invalidity. c/s DEFTS eod 05/18/00 [PLM]
05/19/2000	406	ORDER GRANTING motion to withdraw defts' motion for summary judgment of invalidity of the "projecting edges" and "projecting u-shaped members" claims filed on 12/15/99. DFH c/m eod 05/19/00 [PLM]
06/01/2000	407	REPORT - JOINT STATUS REPORT. eod 06/01/00 [PLM]
06/28/2000	408	ENTRY ON "CONNECTING ELEMENTS" ISSUES -- Defendants' Motion for Summary Judgment is GRANTED, which resolves all claims in the case. The court will enter final judgment in favor of the defendants. All other motions before the court are hereby DENIED. DFH c/m eod 06/28/00 [PLM]

06/28/2000	409	CLOSED Judgment - Ordered that plaintiffs take nothing by their complaint against defendants and that this action is DISMISSED WITH PREJUDICE. Each party shall bear its own costs. DFH c/m OBV 46 PG 627 eod 06/28/00 [PLM]
06/30/2000	410	NOTICE OF APPEAL to Federal Circuit Court of Appeals, from final Entry & Judgment entered 06/28/00 c/s PLTFS eod 07/03/00 [GRN]
06/30/2000	=	APPEAL FEES NOT PAID eod 07/03/00 [GRN]
07/03/2000	411	SHORT RECORD SENT TO CA w Notice, Info Sheet & Docket Sheet eod 07/03/00 [GRN]
07/10/2000	412	TRANSCRIPT PURCHASE ORDER {transcript is already on file} PLTFS/APPELLANTS eod 07/10/00 [GRN]
07/18/2000	413	ACK FROM CA SHORT RECORD received & assigned CA # 00-1454 (Federal Circuit C/A) eod 07/18/00 [GRN]
09/07/2000	414	APPEAL FEES PAID RECEIPT # 41956 eod 09/07/00 [GRN]
04/26/2001	415	LONG RECORD SENT TO CA consisting of 11 vols pleadings (vols 10 & 11 in box 2, w/ 2 vols Transcripts), 3 boxes oversized pleadings (see list), 3 boxes sealed pleadings (see list), and 1 box containing 6 VHS Video tapes & 3 ring binders of stipulated exhibits from [Markman] hearing of 8/19/99. Per faxed request from Federal Circuit Court of Appeals. eod 04/26/01 [GRN]
05/16/2001	416	APPEAL RECORD returned from Fed. Cir. C/A. eod 05/16/01 [GRN]
08/30/2001	417	MANDATE RECEIVED FROM CA. It is ORDERED and ADJUDGED that this cause is AFFIRMED-IN-PART, VACATED-IN-PART and REMANDED for further proceedings consistent with this opinion, decided August 6, 2001, and issued as a Mandate on 8/27/01. Received certified copy of opinion and judgment. Records previously returned. eod 08/31/01 [GRN]
02/14/2002	418	RECEIPT for withdrawal of plaintiffs' exhibits by Baker & Daniels. eod 02/19/02 [PLM]
04/10/2002	419	STIPULATION AND [PROPOSED] ORDER OF DISMISSAL. eod 04/10/02 [CEB]
04/11/2002	420	ORDER approves the parties Stipulation and [Proposed] Order of Dismissal. DFH c/m eod 04/11/02 [CEB]
09/17/2003	421	ENTRY of 9/17/03 that plaintiffs' counsel now withdraws further exhibits on this case. eod 09/17/03 [PLM]
05/25/2006	422	FRC shipped on 05/25/06; Accession # 021-06-0098; Location # 866768-866823; Box 24, 25, 26, 27, & 28 eod 07/12/06 [SDP]

USDC Southern Indiana -JAMS data-

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Exhibit C.3

US District Court Civil Docket

U.S. District - California Northern
(San Francisco)

3:99cv744

Advanced Cardiovascl v. Cordis Corporation

This case was retrieved from the court on Tuesday, February 16, 2010

Date Filed:	**02/22/1999**	**Class Code:**	**CLOSED**
Assigned To:	**Honorable Charles A Legge**	**Closed:**	**Yes**
Referred To:		**Statute:**	**35:145**
Nature of suit:	**Patent (830)**	**Jury Demand:**	**Plaintiff**
Cause:	**Patent Infringement**	**Demand Amount:**	**$0**
Lead Docket:	**None**	**NOS Description:**	**Patent**
Other Docket:	**None**		
Jurisdiction:	**Federal Question**		

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Date	#	Proceeding Text	Source
07/18/2000	--	Docket Modification (Administrative) to administratively removed from ENE (ADR LR 5) [3:99-cv-00744] (rgd, COURT STAFF) (Entered: 07/18/2000)	
04/12/2000	--	STIPULATION and ORDER by Judge Charles A. Legge: dismissing case with prejudice, each party to bear its own costs; appeal filing ddl 5/22/00 [Date Entered: 4/20/00] (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 04/20/2000)	
04/10/2000	--	RECEIVED Stipulation and [Proposed] Order of dismissal (defendant & counter-claimant) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 04/11/2000)	
02/14/2000	--	STIPULATION and ORDER by Judge Charles A. Legge re-setting hearing on defendant's motion to transfer case to USDC, District of Delaware [21-1] on 4/14/00 at 9:30 a.m., and case management conference is re-set for 11:00 a.m. on 4/28/00 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 02/18/2000)	
02/11/2000	--	RECEIVED Stipulation and [Proposed] Order adjourning motion to transfer and case management conference [3:99-cv-00744] (tn, COURT STAFF) (Entered: 02/18/2000)	
01/12/2000	--	STIPULATION and ORDER by Judge Charles A. Legge re-setting hearing on motion to transfer case to USDC, District of Delaware [21-1] to 2/18/00 at 9:30 a.m. , and Case Management Conference re-set for 11:00 a.m. on 3/3/00 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 01/19/2000)	
01/07/2000	--	SUPPLEMENTAL MATERIAL by defendant/counter-claimant in support of its motion to transfer case to USDC, District of Delaware [21-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 01/11/2000)	
11/30/1999	--	STIPULATION and ORDER by Judge Charles A. Legge re-setting hearing on defendant's motion to transfer case to USDC, District of Delaware [21-1] to 1/14/2000, and case management conference to 1/28/2000 at 11:00 a.m. (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 12/06/1999)	
11/03/1999	--	STIPULATION and ORDER by Judge Charles A. Legge adjourning motion to transfer and case management conference: re- setting hearing on defendant's motion to transfer case to USDC, District of Delaware [21-1] to 12/3/99 at 9:30 a.m., and case management conference re-set for 11:00 a.m. on 12/17/99 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 11/04/1999)	
11/03/1999	--	LETTER from Eugene M. Gelernter, Esq., dated 11/2/99, to Judge Legge [FILED UNDER SEAL] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 11/04/1999)	
10/26/1999	--	NOTICE by Plaintiff of entry of stipulation and order [39-2] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/28/1999)	
10/20/1999	--	STIPULATION and ORDER by Judge Charles A. Legge: Case Management Conference re-set for 11:00 a.m. on 11/19/99 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/25/1999)	
10/08/1999	--	STIPULATION and ORDER by Judge Charles A. Legge that the defendant's motion to transfer case to USDC, District of Delaware [21-1] is adjourned from 10/8/99 to 11/5/99 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/14/1999)	
10/08/1999	--	ORDER by Judge Charles A. Legge GRANTING defendant's application for attorneys Gregory L. Diskant, Eugene M. Gelernter and Scott B. Howard to appear pro hac vice [32-1] (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/13/1999)	
10/07/1999	--	RECEIVED Stipulation and [Proposed] Order adjourning return date for motion to transfer [3:99-cv-	

		00744] (tn, COURT STAFF) (Entered: 10/07/1999)
10/07/1999	--	RECEIVED [Proposed] Order granting defendant/ counter-claimant's application for Pro Hac Vice admission of Gregory L. Diskant, Eugene M. Gelernter & Scott B. Howard [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/07/1999)
10/06/1999	--	PROOF OF SERVICE by defendant/counter-claimant of declaration [35-1], declaration [34-1], declaration [33-1], and application for attorneys Gregory L. Diskant, Eugene M. Gelernt and Scott B. Howard to appear pro hac vice [32-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/07/1999)
10/06/1999	--	DECLARATION of Eugene M. Gelernter on behalf of defendant in support of its application for attorneys Gregory L. Diskant, Eugene M. Gelernter and Scott B. Howard to appear pro hac vice [32-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/07/1999)
10/06/1999	--	DECLARATION of Scott B. Howard on behalf of defendant/ counter-claimant in support of its application for attorneys Gregory L. Diskant, Eugene M. Gelernter and Scott B. Howard to appear pro hac vice [32-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/07/1999)
10/06/1999	--	DECLARATION of Gregory L. Diskant on behalf of defendant/ counter-claimant in support of its application for attorneys Gregory L. Diskant, Eugene M. Gelernter and Scott B. Howard to appear pro hac vice [32-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/07/1999)
10/06/1999	--	APPLICATION before Judge Charles A. Legge by defendant/ counter-claimant for attorneys Gregory L. Diskant, Eugene M. Gelernter and Scott B. Howard to appear pro hac vice [3:99-cv-00744] (tn, COURT STAFF) (Entered: 10/07/1999)
09/24/1999	--	AFFIDAVIT of Eugene M. Gelernter on behalf of defendant/ counter-claimant re motion reply [30-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/24/1999)
09/24/1999	--	REPLY MEMORANDUM by defendant/counter-claimant to opposition and in support of its motion to transfer case to USDC, District of Delaware [21-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/24/1999)
09/23/1999	--	REPLY/ANSWER TO COUNTERCLAIM [20-2] by Plaintiff/ Counter-defendant [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/24/1999)
09/21/1999	--	STIPULATION and ORDER by Judge Susan Illston re-setting hearing on defendant's motion to transfer case to USDC, District of Delaware [21-1] on 10/8/99 at 9:30 a.m., and the defendant's time to file and serve its reply memorandum to the motion shall be extended to 9/24/99 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/22/1999)
09/17/1999	--	RECEIVED Stipulation and [Proposed Order modifying briefing schedule and continuing hearing date (defendant) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/17/1999)
09/10/1999	--	DECLARATION of Aldo A. Badini on behalf of Plaintiff in support of its opposition memorandum [24-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/10/1999)
09/10/1999	--	DECLARATION of Thomas R. Peterson on behalf of Plaintiff in support of its opposition memorandum [24-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/10/1999)
09/10/1999	--	APPENDIX OF LEXIS, WESTLAW AND U.S. PATENT QUARTERLY authorities by Plaintiff in support of its opposition memorandum [24-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/10/1999)
09/10/1999	--	MEMORANDUM of points and authorities by Plaintiff in opposition to defendant's motion to transfer case to USDC, District of Delaware [21-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 09/10/1999)
08/17/1999	--	STIPULATION and ORDER by Judge Charles A. Legge modifying pretrial schedule and extending time to respond to the complaint: plaintiff's time to answer or otherwise respond to the answer and counterclaim shall be extended to 9/23/99; defendant's time to serve an initial disclosure of prior art pursuant to Civil L.R. 16-7(e) is extended to 9/16/99; the last day to complete initial disclosures pursuant to Fed.R.Civ.P. 26 and Civil L.R. 16-5 shall be extended to 9/30/99; the last day to meet & confer re: case management pursuant to Civil L.R. 16-4 shall be extended to 9/15/99; the last day to file/serve case management statement & adr certification is extended to 10/19/99; and the case management conference re-set for 11:00 a.m. on 10/22/99 , and re-setting hearing on defendant's motion to transfer case to USDC, District of Delaware on 10/1/99 at 9:30 a.m.; plaintiff's opposition brief due 9/10/99, and defendant's reply brief due 9/17/99 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 08/20/1999)
08/16/1999	--	RECEIVED Stipulation and [Proposed] Order modifying pretrial schedule and extending time to respond to the complaint (defendant) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 08/19/1999)
08/02/1999	--	RECEIVED [Proposed] Order (defendant & counter-claimant) re: motion to transfer case to USDC, District of Delaware [21-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 08/03/1999)
08/02/1999	--	DECLARATION of Eugene M. Gelernter on behalf of defendant & counter-claimant in support of its motion to transfer case to USDC, District of Delaware [21-1] [3:99-cv-00744] (tn, COURT STAFF) (Entered: 08/03/1999)
08/02/1999	--	NOTICE OF MOTION AND MOTION WITH MEMORANDUM OF POINTS AND AUTHORITIES before Judge Charles A. Legge by defendant & Counter-claimant to transfer case to USDC, District of Delaware with Notice set for 9:30 a.m. on 9/17/99 [3:99-cv-00744] (tn, COURT STAFF) (Entered: 08/03/1999)
08/02/1999	--	ANSWER to complaint [1-1] and COUNTERCLAIM by defendant Cordis Corporation against Plaintiff Advanced Cardiovascular Systems, Inc. [3:99-cv-00744] (tn, COURT STAFF) (Entered: 08/03/1999)
07/19/1999	--	STIPULATION and ORDER by Judge Charles A. Legge modifying pretrial schedule and extending time to respond to the complaint: Defendant's time to answer or otherwise respond to the complaint shall be extended to 8/2/99; defendant shall not move to transfer venue before serving and filing an answer or other respond to the complaint; defendant's time to serve an initial disclosure of prior art

		pursuant to Civil L.R. 16-7(e), and defendant's time to produce or make available for inspection and copying the documents described in Civil L.R. 16-7(f) shall be extended to 8/30/99; the last day to meet and confer re: case management pursuant to Civil L.R. 16-4 shall be extended to 8/14/99; the last day to complete initial disclosures pursuant to Federal Rule 26 and Civil L.R. 16-5 shall be extended to 8/30/99, and the last day to file/serve case management statement and ADR certification shall be extended to 9/13/99 (cc: all counsel) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 07/21/1999)
07/16/1999	--	RECEIVED Stipulation and [Proposed] Order modifying pretrial schedule and extending time to respondd to the complaint (defendant) [3:99-cv-00744] (tn, COURT STAFF) (Entered: 07/19/1999)
05/24/1999	--	NOTICE by defendant Cordis Corporation [17-2] order [3:99-cv-00744] (ga, COURT STAFF) (Entered: 05/26/1999)
05/20/1999	--	STIPULATION and ORDER by Judge Charles A. Legge : Case Management Statement is due 8/30/99 ; Case Management Conference set for 11:00 9/24/99 ; (cc: all counsel) [3:99-cv-00744] (ga, COURT STAFF) (Entered: 05/26/1999)
05/14/1999	--	NOTICE by Plaintiff Advanced Cardiovascl [15-1] order [3:99-cv-00744] (ga, COURT STAFF) (Entered: 05/18/1999)
04/26/1999	--	ORDER by Judge Charles A. Legge granting motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] (Date Entered: 4/28/99) (cc: all counsel) [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/28/1999)
04/23/1999	--	DECLARATION by David F. Owens on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	DECLARATION by Harvey Kurzweil on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	DECLARATION by Henry J. Ricardo on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	DECLARATION by Aldo A. Badini on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	DECLARATION by Clark E. Walter on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	DECLARATION by Bradford J. Badke on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	DECLARATION by Morgan W. Tovey on behalf of Plaintiff Advanced Cardiovascl re motion for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [7-1] [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	EX-PARTE APPLICATION before Judge Charles A. Legge by Plaintiff Advanced Cardiovascl for attorney Harvey Kurzweil, Clark E. Walter, Bradford J. Badke, Aldo A. Badini, David F. Owens and Henry J. Ricardo to appear pro hac vice [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/23/1999	--	NOTICE by Plaintiff Advanced Cardiovascl [5-2] order [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/27/1999)
04/12/1999	--	STIPULATION and ORDER by Judge Charles A. Legge : extending time to answer by 5/17/99; (cc: all counsel) [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/15/1999)
04/08/1999	--	RETURN OF SERVICE executed upon defendant Cordis Corporation on 2/3/99 [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/09/1999)
04/06/1999	--	STIPULATION and ORDER by Judge Charles A. Legge : extending time to answer by 5/3/99 (cc: all counsel) [3:99-cv-00744] (ga, COURT STAFF) (Entered: 04/08/1999)
02/26/1999	--	REPORT on the filing of an action regarding Patent (cc: form mailed to register) [3:99-cv-00744] (ga, COURT STAFF) (Entered: 02/26/1999)
02/22/1999	--	Docket Modification (Administrative) to for referral to Early Neutral Evaluation (ADR L.R.5) [3:99-cv-00744] (ga, COURT STAFF) (Entered: 02/25/1999)
02/22/1999	--	ORDER RE COURT PROCEDURE and SCHEDULE by Judge Charles A. Legge : Proof of service to be filed by 4/8/99 ; counsels' case management statement to be filed by 6/15/99 ; initial case management conference will be held 11:00 6/25/99 . (cc: all counsel) (ga, COURT STAFF) (Entered: 02/25/1999)
02/22/1999	--	COMPLAINT Summons(es) issued; Fee status pd entered on 2/22/99 in the amount of $ 150.00 (Receipt No. 134878); jury demand [3:99-cv-00744] (ga, COURT STAFF) (Entered: 02/25/1999)